



भारत का यज्ञालिपि The Gazette of India

प्रांथका से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 32]

नई दिल्ली/ शमिवार, अगस्त 11, 1984/व्रविंश 20, 1986

No. 32]

NEW DELHI, SATURDAY, AUGUST 11, 1984/SRAVANA 20, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—प्रथा वृ-प्रथा-प्रथा (VI)

PART II—Section 3—Sub-section (II)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयी द्वारा जारी किये गये सांख्यिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

गह मदालय

(कार्मिक और प्रशासनिक सुधार विभाग)

प्रादेश

नई दिल्ली, 27 जूलाई, 1984

और अधिकारिता का विस्तारण सम्पूर्ण बिहार राज्य पर करती है।

[संख्या 228/20/83-ए वी डी-II]
हरि कृष्ण वर्मा, अधिकारी सचिव

MINISTRY OF HOME AFFAIRS

(Department of Personnel & Administrative Reforms)

New Delhi, the 27th July, 1984

ORDER

S.O. 2560—In exercise of the powers conferred by subsection (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the Government of Bihar, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Bihar for the investigation of offences punishable under Section 34 and section 302 of the Indian Penal Code, 1860 (45 of 1860) and attempt, abettment and conspiracies in relation to or in connection with the said offences, and any other offence or offences committed in the course of the same transaction arising out of the same facts in regard to Kotwali (Patna) P. S Case No. 492/82 dated 4-6-1982.

[No. 228/20/83-AVD-II]
H. K. VERMA, Under Secy.

वित्त मंत्रालय
(राजस्व विभाग)
नई दिल्ली, 23 अप्रैल, 1984
आयकर

का.आ. 2561—इस कार्यालय की दिनांक 16-1-81 की अधिसूचना सं. 3794 (फा. मं. 203/291/80-आ. क. नि.-II) के सिद्धिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के माध्यम पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में “संगम” प्रबर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि श्री मुल्लापूर्णी वेंकटरामनम्मा मैमोरियल हास्पिटल एण्ड रिसर्च सेंटर, दानुकू वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
2. यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों को वायिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रारूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सूचित किया जाए।
3. यह कि उक्त संस्था अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वायिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलन-पत्र की एक एक प्रति, प्रतिवर्ष विहित प्राधिकारी को प्रस्तुत करेगी तथा इन वस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगी।

संस्था

श्री मुल्लापूर्णी वेंकटरामनम्मा मैमोरियल हास्पिटल एण्ड रिसर्च सेंटर, दानुकू

यह अधिसूचना 30-11-82 से 31-12-83 तक की अवधि के लिए प्रभावी है।

[नं. 5767 (फा. मं. 203/200/83-आ. क. नि.-II]

MINISTRY OF FINANCE
(Department of Revenue)
New Delhi, the 23rd April, 1984
INCOME-TAX—

S.O. 2561.—In continuation of this Office Notification No. 3794 (F. No. 203/291/80-ITA. II) dated 16-1-81, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category “Institution” in

the area of other natural and applied sciences subject to the following conditions :—

- (i) That the Sree Mullapudi Venkataramanamma Memorial Hospital and Research Centre, Tanuku will maintain separate account of the sums received by it for scientific research.
- (ii) That the said Institution will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Institution will submit to the Prescribed Authority by 30th June each year copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets and liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Sree Mullapudi Venkataramanamma Memorial Hospital and Research Centre, Tanuku.

This notification is effective for a period from 30-11-82 to 31-12-1983.

[No. 5767 (F. No. 203/200/83-ITA III]

नई दिल्ली, 19 जूलाई, 1984

आयकर

का.आ. 2562.—इस की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली के निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के माध्यम पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) खंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में “संगम” प्रबर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि वैज्ञानिक अनुसंधान केन्द्र कोट्टाकुप्पम, वैज्ञानिक अनुसंधान के लिए उसके द्वारा ‘प्राप्त राशियों का पृथक लेखा रखेगा।
2. यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रिया कलापों की वायिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रारूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सूचित किया जाए।
3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वायिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन वस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगी।

संस्था

वैज्ञानिक अनुसंधान केन्द्र, कोट्टाकुप्पम

यह अधिसूचना 22-3-1984 से 31-3-1986 तक की अवधि के लिए प्रभावी है।

[नं. 5901 (फा. सं. 203/37/84-आ. क. नि.-II]

पृष्ठ सम्पैदन, उप सचिव

New Delhi, the 19th July, 1984

INCOME TAX

S.O. 2562.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- (i) That the Centre for Scientific Research, Kottakuppam will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Centre for Scientific Research, Kottakuppam.

This notification is effective for a period from 22-3-84 to 31-3-1986.

[No. 5901/F. No. 203/37/84-ITA-III
P. SAXENA, Dy. Secy.]

नई दिल्ली, 23 जुलाई, 1984

आदेश

स्टाम्प

मा० 2563.—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) को धारा 9 को उपधारा (i) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो राष्ट्रीय सहकारिता विकास निगम द्वारा प्रोमिसरी नोटों के रूप में जारी किए जाने वाले केवल सनाईम करोड़ पचास लाख रुपये मूल्य के बन्धपत्रों पर उक्त अधिनियम के अन्तर्गत प्रभावी है।

[मंख्या 47/84-स्टाम्प/फा. सं. 33/47/84-वि. क.]

भगवान दास, अवर सचिव

New Delhi, the 23rd July, 1984

ORDER

STAMPS

S.O. 2565.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes of the value of rupees twenty seven crores and fifty lakhs only to be issued by the National Cooperative Development Corporation, are chargeable under the said Act.

[No. 47/84-Stamp/F. No. 33/47/84-ST]
BHAGWAN DAS, Under Secy.

नई दिल्ली, 23 जुलाई, 1984

अधिकारी

का. आ. 2564.—अधिकारी अधिनियम, 1961 (1961 का 43) की धारा 2 के उपखण्ड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 28-6-83 की अधिसूचना सं. 5295 (फा. सं. 398/22/83-आ. क. (ब.) का अधिलिघन करते हुए, केन्द्रीय सरकार एतद्वारा श्री ओ. पी. शारदा को, जो केन्द्रीय सरकार के राजपरिवत अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियां का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री ओ. पी. शारदा द्वारा कर वसूल अधिकारी के रूप में कार्यभार महण किए जाने की तारीख से लागू होगी।

[सं. 5904/फा. सं. 398/17/84-आ. क. (ब.)]
बी. ई. एलेक्जेंडर, अवर सचिव

New Delhi, the 23rd July, 1984

INCOME TAX

S.O. 2564.—In pursuance of sub-clause (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 5295 (F. No. 398/22/83-IT (B), dated 28-6-1983 the Central Government hereby authorises Shri O. P. Sharda, being a gazetted officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This notification shall come into force with effect from the date Shri O. P. Sharda takes over charge as Tax Recovery Officer.

[No. 5904/F. No. 398/17/84-IT (B)]
B. E. ALEXANDER, Under Secy

नई दिल्ली, 25 जुलाई, 1984

अधिकारी

का. आ. 2565.—अधिकारी अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23C) के उपखण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा उक्त धारा के प्रयोजनार्थ, "श्री मदुज्जैनी सद्बुर्मा सिहासन श्री तरालाला जगद्गुरु नृहनम" को कर निर्धारित वर्ष 1985-86 से 1987-88 तक के अन्तर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[मं. 5913/फा. सं. 1970/237/82-आ. क. (नि.-I)]

New Delhi, the 25th July, 1984

INCOME TAX

S.O. 2565.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shri Madujjaini Saddharma Simhasana Sri Taralabalu

Jagadguru Bruhanmath" for the purpose of the said section for the period covered by the assessment years 1985-86 to 1987-88.

[No. 5913/F. No. 197-A/237/82-IT(AI)]

का. आ. 2566.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, उक्त धारा के प्रयोजनार्थ, "इम्माकुलेट कंसेप्शन कन्वैन्ट, कोयम्बतूर" को कर निर्धारण वर्ष 1982-83 से 1984-85 तक के अंतर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 5910/फा. सं. 197/150/82-आ. क. (नि.-I)]

S.O. 2566.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Immaculate Conception Convent, Coimbatore" for the purpose of the said section for the period covered by the assessment years 1982-83 to 1984-85.

[No. 5910/F. No. 197/150/82-IT(AI)]

का.आ. 2567.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, उक्त धारा के प्रयोजनार्थ, "श्री सिद्धगंगा मठ, तुमकुर जिला" को कर निर्धारण-वर्ष 1985-86 से

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 29 मई, 1984

आयकर

का.आ. 2569.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा दिनांक 3-11-1983 की इसकी अधिसूचना सं. 5646 (फा. सं. 261/22/83-आ०क०न्या०) में संशोधन करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निदेश देता है कि आयकर आयुक्त (अपील)-I से X, कलकत्ता, अनुसूची के स्तम्भ 2 तथा स्तम्भ 3 में तत्संबंधी प्रतिलिपियों में विनिर्दिष्ट आयकर बोर्ड, परिमंडलों, जिलों और रेजों में ऐसे व्यक्तियों के संबंध में, जिन पर आयकर या अतिकर या ब्याज-कर लगाया गया हो और जो आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (क) से (ज) में कम्पनी (नाम) प्रति-कर अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) में श्रीर ब्याज कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित किसी भी आदेश से व्यक्ति हुए हैं और ऐसे व्यक्तियों या अक्षियों के बारे जी बाबत भी, जिनके लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (1) के उपबंधों के अनुसार निदेश दिया है या भविष्य में निदेश दें, अपने कार्यों का निर्वहन करेंगे।

अधिकार-धेत्र तथा प्रधान कार्यालय	आयकर बोर्ड तथा परिमंडल	निरीक्षी सहायक आयुक्त की रेज
1	2	3
1. आयकर आयुक्त (अपील) 51, कलकत्ता	1. कम्पनी जिला-I	1. निःसंआ०, रेज-1
2. आयकर आयुक्त (अपील)-II, कलकत्ता	1. कम्पनी जिला-III (बी.डी.ई.एफ और जी बार्ड) 2. कम्पनी जिला-III (ए.ओर सी बार्ड)	2. निःसंआ०, कर-निर्धारण रेज-1 1. निःसंआ०, रेज-II 2. विशेष कर-निर्धारण रेज-I 3. निःसंआ०, कर-निर्धारण रेज-II

1	2	3
3. आयकर आयुक्त (अपील)-III कलकत्ता	1. कम्पनी जिला-IV (ए से जी वार्ड से भिन्न) 2. महाकारी आवाम परिमडल 3. विशेष परिमडल-II 4. जिला-II (i) 5. न्याम परिमडल	1. निःसःआ०, रेज-XII 2. निःसःआ०, रेज-XII ए 3. निःसःआ०, कर-निधारण रेज-III 1. निःसःआ०, रेज-II 2. निःसःआ०, रेज-XII 3. निःसःआ०, विशेष रेज-II 4. निःसःआ०, रेज-XX 5. निःसःआ०, रेज-XXVI 6. निःसःआ०, कर-निधारण रेज-IV
4. आयकर आयुक्त (अपील)-IV कलकत्ता	1. कम्पनी जिला-IV (ए से जी वार्ड) 2. विशेष अनुभाग 3. सर्वेक्षण परिमडल-I 4. विशेष परिमडल-IV 5. विशेष परिमडल-I 6. कम्पनी जिला-V (जी तथा एच वार्ड) 7. जिला-VIII	1. निःसःआ०, रेज-VII 2. निःसःआ०, रेज-I 3. निःसःआ०, रेज-V 4. निःसःआ०, सर्वेक्षण रेज-I 5. विशेष रेज-IV 6. विशेष रेज-I 7. निःसःआ०, रेज-XXIV 8. निःसःआ०, कर-निधारण रेज-V
5. आयकर आयुक्त (अपील)-V कलकत्ता	1. कम्पनी जिला-II (ए से जी वार्ड) 2. विशेष अनुभाग 3. सर्वेक्षण परिमडल-I 4. विशेष परिमडल-IV 5. विशेष परिमडल-II 6. कम्पनी जिला-V (जी तथा एच वार्ड) 7. जिला-VIII	1. विशेष रेज-V 2. विशेष जांच रेज-I 3. निःसःआ०, रेज-XXVII 4. निःसःआ०, कर-निधारण रेज-VI 1. निःसःआ०, रेज-XXIV 2. निःसःआ०, कर-निधारण रेज-VII
6. आयकर आयुक्त (अपील)-VI कलकत्ता	1. विशेष परिमडल-V 2. विशेष जांच परिमडल-I 3. विशेष जांच परिमडल-II 4. कम्पनी जिला-VI	1. निःसःआ०, रेज-XXIV 2. निःसःआ०, कर-निधारण रेज-VII 1. निःसःआ०, रेज-XXIV 2. विशेष रेज-VI 3. निःसःआ०, रेज-VIII 4. निःसःआ०, रेज-IX 5. निःसःआ०, रेज-XIII 6. निःसःआ०, रेज-XVI 7. निःसःआ०, रेज-XXVIII 8. निःसःआ०, रेज-XXIX 9. निःसःआ०, कर-निधारण रेज-VIII
7. आयकर आयुक्त (अपील) VII कलकत्ता	1. कम्पनी जिला-V (ए डी, ई तथा एफ वार्ड)	
8. आयकर आयुक्त (अपील) VIII कलकत्ता	1. कम्पनी जिला-V (बी वार्ड) 2. विशेष परिमडल-VI 3. जिला-V (1) 4. जिला-V (2) 5. विशेष परिमडल-III,V (2) 6. जिला-I (1) 7. जिला-I (2) 8. जिला-I (3) 9. जिला-I (4) 10. एस एस सी -II	
9. आयकर आयुक्त (अपील)-IX कलकत्ता	1. कम्पनी जिला-V(सी वार्ड) 2. कम्पनी जिला-II (ए से जी वार्ड से भिन्न)	1. निःसःआ०, रेज-XXIV 2. निःसःआ०, रेज-VII 3. निःसःआ०, कर-निधारण रेज-IX
10. आयकर आयुक्त (अपील)-X कलकत्ता	1. कम्पनी जिला-III(ए से जी वार्ड से भिन्न) 2. जिला-II (2) 3. जिला-III (1) 4. एस एस सी -IX 5. जिला-IV (3)	1. निःसःआ०, रेज-II 2. निःसःआ०, रेज-X 3. निःसःआ०, रेज-III 4. निःसःआ०, रेज-XXII 5. निःसःआ०, रेज-XXV 6. निःसःआ०, कर-निधारण रेज-X

यतः कोई आयकर परिमंडल, वार्ड या जिला या रेज या उसका कोई भाग इस अधिसूचना द्वारा एक अधिकार-क्षेत्र से छुसरे अधिकार-क्षेत्र में अन्तरित कर दिया गया है, वहाँ उस आयकर परिमंडल, वार्ड या जिले या रेज या उसके किसी भाग ने किए गए कर-निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से नत्काल पृथ्वे उस अधिकार-क्षेत्र के आयकर

आयुक्त (अपील) के समक्ष विचाराधीन पड़ी अपीलें, जिसके अधिकार-क्षेत्र से वह आयकर परिमंडल, जिला बांड या रेज या या उसका कोई भाग अन्तरित किया गया है, इस अधिसूचना के साथ होने की तारीख से उस आयकर-आयुक्त (अपील) के अधिकार-क्षेत्र में अन्तरित की जाएगी और उसके द्वारा निपटायी जाएगी, जिसके अधिकार-क्षेत्र में उक्त बांड, परिमंडल या जिला या रेज उसका कोई भाग अन्तरित कर दिया गया है।

यह सूचना 1-6-1984 से लागू होगी।

[सं 5837(फा. मं 261/5/84-आ० कृत्या०)]

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 29th May, 1984

INCOME-TAX

S.O. 2569 :—In exercise of the powers conferred by sub-section (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961) and in Notification of its notification No. 54, (F.No. 261/22/83-IT) Dated 3-11-1983, the Central Board of Direct Taxes hereby directs that the CIT (Appeals)-I to X, Calcutta shall perform their functions in respect of such persons assessed to Income-tax or Sur-tax or Interest-tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in Column 2 and Column 3 thereof as are aggrieved by any of the orders mentioned in Clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of section 11 of the Companies (Profits) Sur-tax Act, 1964 (7 of 1964), 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (1) of sub-section (2) of section 246 of the Income-tax Act, 1961. (1) of sub-section (2) of section 246 of the Income-tax Act,

Charges with Headquarters	Income-tax Wards and Circles	Ranges of I. A. C.
1	2	3
1. CIT (A)-I, Calcutta	1. Comp. Dist. I	1. IAC, Range-I 2. IAC, Asstt. R-I
2. CIT (A)-II, Calcutta	.. Comp. Distt. III (B D E F & G Wards) 2. Comp. Distt. III (A & C Wards)	1. IAC, Range-II 2. SPL, Asstt. R-I 3. IAC, Asstt. R-II
3. CIT (A)-III, Calcutta	1. Comp. Dist. IV (other than A to G Wards)	1. IAC, Range-XII 2. IAC, Range-XIIA 3. rAC, Asstt. R-III
4. CIT (A)-IV, Calcutta.	1. Comp. Dist. IV (A to G Wards) 2. Co-operative Housing Circle 3. Spl. Circle-II 4. District-II (I) 5. Trust Circle	1. IAC, RANGE-II 2. IAC, Range-XII 3. IAC, Spl. R-II 4. IAC, Range-XX 5. IAC, Range-XXV 6. IAC, Asstt. R-IV
5. CIT (A)-V Calcutta	1. Comp. Dist-II (A to G SWards) 2. Foreign Section 3. Survey Circle-I 4. Spl. Circle-IV 5. Spl. Circle-I 6. Comp. Dist. V (G & H Wards) 7. Dist-VIII	1. IAC, Range-VII 2. IAC Range-I 3. IAC, Range -V 4. IAC Survey R-I 5. Spl. Range-IV 6. Sp. R-I 7. IAC, Range-XXIV 8. IAC, Asstt. R-V

1	2	3
6. CIT--VI, cal.	1. Spl. Circle--V 2. Spl. Inv.cir-I	1. spl Range--V 2. Spl. Inv. Range—I
	3. Spl. Inv. cir-II	3. IAC Range, XXVII
	4. Comp. Dist. VI	4. IAC, Asstt. R--VI
7. CIT --VII Cal	1. Comp. Dist. V	1. IAC, Range--XXIV (A D E&F Works) 2. IAC, Asstt. R--VII
8. CIT (A)-VIII Cal.	1. Comp. Dist. V (B Ward) 2. Spl. Cir-VI 3. Dist. V (I) 4. Dist. V (2) 5. Spl.Cir. III, V(2) 6. Dist. I (1) 7. Dist. I (2)	1. IAC, Range- XXIV 2. Spl. Range-VI 3. IAC, Range,-VIII 4. IAC, Range-IX 5. IAC, Range-XIII 6. IAC, Range-XVI 7. IAC, Range- XXVIII 9. Dist. I (3) 9. Dist. I (4)
	9. Dist. I (3)	8. IAC, Range- XXIX
	9. Dist. I (4)	9. IAC Asstt. R- VIII
	10. SSC. II.	
9. CIT (A)-IX, Cal.	1. Comp. Dist. V (C Ward) 2. Comp. Dist. II (other than A to G Wards)	1. IAC, Range- XXIV 2. IAC, Range -VII 3. IAC, Asstt. R-IX
1 . CIT (A)-X, Cal.	1. Comp. Dist. III (other than A to G Wards) 2. Dist. II (2) 3. Dist. II (1) 4. S.S.C. IX 5. Dist. IV (3)	1. IAC, Range -II, 2. IAC, Range-X 3. IAC Range -III 4. IAC, Range-XXII 5. IAC, Range-VXV 6. IAC, Asstt. R-X.

Whereas an Income-tax Circle, Ward or District or Range or part thereof stands transferred by this Notification from one charge to another charge, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or Range or part thereof and pending immediately before the date of this Notification before the CIT(A) of the charge from which that Income-tax Circle, District, Ward or Range or part thereof is transferred shall, from the date of this Notification takes effect, be transferred to and dealt with by the CIT(A) of the charge to whom the said Ward, Circle or District or Range or part thereof is transferred.

This Notification shall take effect from 1-6-84.

[No. 5837/(F. No. 261/5/84-IT)]

लॉ दिल्ली, 5 जून, 1984

श्राय-कर

का०आ० 2570.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121क की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्ववर्ती अधिसूचनाओं का अभिलंघन करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट अधिकार-क्षेत्रों के आयकर आयुक्त (अपील), अनुसूची के स्तम्भ (2) तथा स्तम्भ (3) की तत्परताएँ प्रविठियों में विनिर्दिष्ट आयकर बाड़ी, परिमंडलों, जिलों और रेजों में ऐसे व्यक्तियों के संबंध में, जिन पर आयकर या अनिकर या व्याजकर लगाया गया है और जो आयकर अधिनियम, 1961 की धारा 246 की उप-धारा (2) के खंड (क) से (ज) में, कम्पनी (लाभ) अनिकर अधिनियम, 1964 (1964 का 7) की धारा II की उप-धारा (1) में और व्याजकर अधिनियम, 1974 (1974 का 43) की धारा 15 की उप-धारा (1) में उल्लिखित किसी भी आदेश से व्यापित हुए हैं और ऐसे व्यक्तियों या व्यक्तियों के बारे की बाबत भी, जिनके लिए बोर्ड ने आयकर अधिनियम 1961 की धारा 246 की उप-धारा (2) के खंड (1) के उपवंधों के अनुसार निदेश दिया है या भविष्य में निदेश दें, अपने कार्यों का निर्वहण करें।

अनुसूची

अधिकार क्षेत्र तथा
प्रधान कार्यालय

निर्देशी सहायक अधिकर
आयुक्त की रेज

आयकर बार्ड तथा परिमंडल निरीक्षी
महायक आयुक्त (कर-निर्धारण)

1	2	3
1. आयकर आयुक्त (अपील)-I, बंगलौर	1. कम्पनी परिमंडल I, III तथा VII, बंगलौर 2. निःसूची निरीक्षी 3. मैसूर परिमंडल 4. कुर्ग परिमंडल 5. मेण्टल परिमंडल I, II तथा III, बंगलौर 6. निःसूची (मेण्टल) (कर-निर्धारण) 7. परिमंडल—IV, बंगलौर 8. वेतन परिमंडल, बंगलौर 9. न्याय परिमंडल, बंगलौर 10. फिल्म परिमंडल, बंगलौर 11. दावणगेरे परिमंडल 12. चिन्नदुर्ग	निःसूची रेज-VI बंगलौर। —यथोपरि— निःसूची मैसूर निःसूची मंगलौर निःसूची (सेण्टल), बंगलौर —यथोपरि— निःसूची रेज-IV, बंगलौर निःसूची रेज-III, बंगलौर —यथोपरि— —यथोपरि— निःसूची हुबली —यथोपरि— निःसूची वंगलौर —यथोपरि— निःसूची रेज-IV, बंगलौर निःसूची रेज-IV, बंगलौर —यथोपरि— निःसूची, मैसूर —यथोपरि— निःसूची मंगलौर —यथोपरि— —यथोपरि— निःसूची बंगलौर निःसूची रेज-II, बंगलौर निःसूची रेज-III, बंगलौर
2. आयकर आयुक्त (अपील)-II, बंगलौर	1. कम्पनी परिमंडल II तथा IV, बंगलौर 2. निःसूची, रेज-, (कर-निर्धारण) 3. विदेश अनुभाग 4. सं० शु० एवं आ०क० परिमंडल, बंगलौर (आयकर के मामले) 5. सं०शु० एवं आ०क० परिमंडल, मंगलौर (आयकर के मामले) 6. माझ्या परिमंडल 7. हसन परिमंडल 8. चिकमंगलूर परिमंडल 9. मंगलौर थरिमंडल 10. उडुपि परिमंडल 11. सेण्टल परिमंडल—IV तथा V, बंगलौर 12. परिमंडल-II, बंगलौर 13. परिमंडल-III, बंगलौर	निःसूची वंगलौर —यथोपरि— निःसूची रेज-IV, बंगलौर निःसूची रेज-IV, बंगलौर —यथोपरि— निःसूची मैसूर —यथोपरि— निःसूची मंगलौर —यथोपरि— —यथोपरि— निःसूची (सेण्टल) बंगलौर निःसूची रेज-II, बंगलौर निःसूची रेज-III, बंगलौर

1	2	3
	14. रायचूर परिमडल	नि०स०आ०, धारवाड
	15. गडग परिमडल	नि०स०आ०, हुबली
	16. शिरोगा परिमडल	नि०स०आ०, मैसूर
	17. तुमकुर परिमडल	—यथोपरि—
	18. कोलार परिमडल	नि०स०आ०, रेज-IV, बंगलौर
3. आयकर आयुक्त (अपील)-III बंगलौर	1. पर्वमडल—I, बंगलौर 2. कम्पनी परिमडल-V तथा VI, बंगलौर 3. सं० शु० एवं आ०क० परिमडल (सं० शु० के मामले), बंगलौर 4. सं० शु० एवं आ०क० परिमडल सं० शु० के मामले), बंगलौर 5. सं० शु० एवं आ०क० परिमयन सं०श० के मामले), हुबली 6. सर्वेक्षण परिमडल—I तथा II, बंगलौर 7. जांच परिमडल, बंगलौर 8. होसपेट परिमडल 9. बल्लरी परिमडल	नि०स०आ०, रेज-I, बंगलौर नि०म०आ०, रेज-V, बंगलौर नि० स०आ०, रेज-IV, बंगलौर —यथोपरि— —यथोपरि— नि०स०आ० (क्षाच), बंगलौर —यथोपरि— नि०स०आ०, धारवाड —यथोपरि—
4. आयकर आयुक्त (अपील), बेलगाम	1. बेलगाम परिमडल 2. बीजापुर परिमडल 3. वागलकोट परिमडल 9. हुबली परिमडल 5. धारवाड परिमडल 6. गुलबर्गा परिमडल 7. धारवाड परिमडल 8. पणजी परिमडल 9. मारगांशी परिमडल, 10. सं० शु० एवं आ०क० परिमडल, हुबली (केवल नि० स० आ०, हुबली आयकर के मामले)	नि०स०आ०, बेलगाम —यथोपरि— —यथोपरि— नि०स०आ०, हुबली नि०स०आ०, धारवाड —यथोपरि— नि०स०आ०, धारवाड नि०स०आ० गोआ —यथोपरि— नि०स०आ०, हुबली

यतः कोई आयकर परिमडल, वार्ड या जिला या उसका कोई भाग हम अधिसूचना द्वारा एक अधिकार-क्षेत्र से दूसरे अधिकार-क्षेत्र में अंतरित कर दिया गया है, वहाँ उस आयकर परिमडल, वार्ड या जिले या उसके किसी भाग में किये गये कर-निर्धारणों में उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल पूर्व उस अधिकार-क्षेत्र के आयकर आयुक्त के समन विचाराधीन पड़ी अपीलें, जिसके अधिकार-क्षेत्र से वह आयकर परिमडल, वार्ड या जिला या उसका कोई भाग अंतरित किया गया है, इस अधिसूचना के नाम होने की तारीख से उस आयकर आयुक्त के अधिकार-क्षेत्र में अंतरित की जाएगी और उसके द्वारा निपटायी जाएगी, जिसके अधिकार-क्षेत्र में उक्त परिमडल, वार्ड या जिला या उसका कोई भाग अंतरित कर दिया गया है।

यह सूचना 1-6-1984 से लागू होगी।

New Delhi, the 5th June, 1984

1

2

3

INCOME-TAX

S.O. 2570.—In exercise of the powers conferred by sub-section (1) of section 121A of the Income-tax Act, 1961 (43 of 1961) and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Commissioners of Income-tax (appeals of the charges specified in column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to income-tax or surtax or interest tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in column (2) and (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961 in sub-section (1) of section II of the Companies (Profits) Surtax Act, 1964 (7 of 1964) and in sub-section (1) of Section 15 of the Interest tax Act, 1974, (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of section 246 of the Income-tax Act, 1961.

SCHEDULE

Charges with Headquarters	Income-tax Wards & Circles Inspecting Assistant Commissioner (Assessment)	Ranges of IAC/ I.T.
1	2	3
1. Commissioner of Income-tax (Appeals)-I, Bangalore.	1. Company Circles I, III & VII, Bangalore. 2. IAC, Range-VI (A Asst) 3. Mysore Circle 4. Coorg Circle 5. Central Circles I, II & III, Bangalore. 6. IAC (Central) (Assessment) 7. Circle-IV, Bangalore 8. Salary Circle, Bangalore 9. Trust Circle, Bangalore 10. Film Circle, Bangalore 11. Davanagere Circle 12. Chitradurga	IAC Range VI —do— IAC Mysore IAC Mangalore IAC (Central), & III, Bangalore. —do-- IAC Range-IV, B'lore IAC R-III, B'- lore —do-- —do— IAC Hubli —do—
2. Commissioner of Income-tax (Appeals)-II, Bangalore.	1. Company Circles II & IV, Bangalore. 2. IAC, Range V (Assessment) 3. Foreign Section 4. ED-cum-IT Circle, Bangalore(IT) Cases	IAC, R-V, B'- lore —do— IAC R-IV, B'- lore —do—

5. ED-Cum-IT Circle, Mangalore (IT cases)	IAC R-IV B'lore
6. Mandya Circle	IAC, Mysore
7. Hassan Circle	—do—
8. Chickmagalur Circle	IAC Mangalore
9. Mangalore Circle	— do —
10. Udupi Circle	—do—
11. Central Circles IV and V, Bangalore.	IAC (Central) B'lore.
12. Circle-II, Bangalore	IAC R-II, B'lore
13. Circle-III, Babgalore	IACR-III, B'lore
14. Raichur Circle	IAC, Dharwar
15. Gadag Circle	IAC, Hubli
16. Shimoga Circle	IAC, Mysore
17. Tumkur Circle	—do—
18. Kolar Circle	IAC R-IV, B'lore
3. Commissioner of Income-tax (Appeals)-III, Bangalore.	1. Circle-I, Bangalore 2. Company Circle V VI, Babngalore. 3. ED-Cum-IT Circle (ED cases) B'lore
	IAC R-I, B'lore IAC R-V, B'lore IAC R-IV,B'lor
	4. ED-cum-IT Circle (ED cases), B'lore 5. ED-cum-IT Circle (ED cases) Hubli 6. Survey Circle-I & II, Bangalore. 7. Investigation Circle, Bangalore.
	—do— —do— IAC (Inv), B'lore —do—
	8. Hospet Circle 9. Bellary Circle
	IAC, Dharwar —do—
4. Commissioner of Income-tax (Appeals) Belgaum.	1. Belgaum Circle 2. Bijapur Circle 3. Bagalkot Circle 4. Hubli Circle 5. Dharwar Circle 6. Gulbarga Circle 7. Darwar Circle 8. Panaji Circle 9. Margao Circle, 10. ED-cum-IT Circle
	IAC, Belgaum —do— —do— IAC; Hubli IAC, Dharwar —do— IAC, Dharwar IAC, Goa —do- -
	Hubli (IT Cases only) IAC, Hubli.

Whereas an Income-tax Circle, Ward or District or Part thereof stand transferred by this notification from one charge to another charge, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Commissioner of Income-tax of the

charge from whom the Income-tax Circle, Ward or District or part thereof transferred shall from the date of this Notification takes effect be transferred to and dealt with by the Commissioner of Income-tax of the charge to whom the said Circles, Ward or District or part thereof is transferred.

This notification shall take effect from 1-6-84.

[No. 5851/CF. No. 261/11/84-ITI]

शुद्धि पत्र

का०आ० 2571—आयकर आयुक्त (अपील)-IV, नई दिल्ली के संबंध में बोर्ड की दिनांक 27-3-84 की अधिसूचना सं० 5725 (फा० सं० 261/3/84-आ क न्या) उसमें उल्लिखित तारीख 9-12-84 के बजाय 9-12-83 से प्रभावी होगी।

[सं० 5850(फा०सं० 261/3/84-आ०क०न्या०)]

कल्याण चन्द, अवर सचिव
केन्द्रीय प्रत्यक्ष कर बोर्ड

CORIGENDUM

S.O. 2571.—Board's Notification No. 5725 (F. No. 261/3/84-ITI) dated 27-3-84 shall take effect from 9-12-83 instead of 9-12-84 mentioned therein in respect of Commissioner of Income-tax (Appeals)-IV, New Delhi.

[No. 5850/(F. No. 261/3/84-ITI)]

KALYAN CHAND, Under Secy.
Central Board of Direct Taxes

ऊर्जा मंत्रालय

(विद्युत विभाग)

नई दिल्ली, 23 जुलाई, 1984

का० आ० 2572—12 जुलाई, 1984 को अधिसूचना सं० 2/4/83 डी० (बी० एण्ड बी०) का प्रतिक्रमण करते हुए केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि व्यास निर्माण बोर्ड केन्द्र सरकार का एक श्रंग/हिस्सा है। यह 1 अक्टूबर, 1967 से प्रभावी है।

[सं० 2/4/83-डी० (बी० एण्ड बी०)]

बी० के० सूद, उप सचिव

व्याख्यात्मक ज्ञापन

इस अधिसूचना को 1 अक्टूबर, 1967 से पूर्व-प्रभावी बनाया जा रहा है, जबकि 1 अक्टूबर, 1967 की एक अधिसूचना के जरिए व्यास निर्माण बोर्ड का गठन किया गया था। इस अधिसूचना के पूर्व-प्रभावी रूप में जारी करने से किसी सरकारी कर्मचारी पर प्रतिकूल प्रभाव पड़ने की संभावना नहीं है।

MINISTRY OF ENERGY

(Department of Power)

New Delhi, the 23rd July, 1984

S.O. 2572.—In supersession of the Notification No. 2/4/83-D(B&B) dated 12th July, 1984, the Central Government, hereby notifies that Beas Construction Board is a limb/part of the Central Government. This is effective from 1st October, 1967.

[No. 2/4/83-D(B&B)]

V. K. SOOD, Dy. Secy.

EXPLANATORY MEMORANDUM

The notification is being given retrospective effect from 1st October, 1967, when the Beas Construction Board was constituted through a notification dated 1-10-1967. No Government servant is likely to be adversely affected by issue of the notification with retrospective effect.

(कोयला विभाग)

नई दिल्ली, 20 जुलाई, 1984

शुद्धि-पत्र

का०आ० 2573.—भारत के राजपत्र के भाग II, खंड 3; उप-खंड (II) दिनांक 7 जनवरी, 1984 में प्रकाशित भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना सं० का० आ० 21 दिनांक 14 विसम्बर, 1983 को एदस्ट्रारा रद्द किया जाता है।

[का० सं० य० 23018/7/83-सी एम डब्ल्यू]

श्रीमति कृ० सूद, निवेशक

(Department of Coal)

New Delhi, the 20th July, 1984

CORIGENDUM

S.O. 2573.—Notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 21 dated the 14th December, 1983 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 7th January, 1984 is hereby cancelled.

Smt. K. SOOD, Director

[F. No. U-23018/7/83-CMW]

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 26 जुलाई, 1984

का० आ० 2574—यतः भारतीय अधिनियम दत्त चिकित्सक अधिनियम, 1948 (1918 का 16) की धारा 3 के खंड (ऱ.) के अनुसरण में निम्नलिखित व्यक्तियों को उनके

सामने दी गई राज्य सरकारों ने भारतीय वन्त चिकित्सा परिषद का उनके नाम के सामने उल्लिखित तारीखों से सदस्य मनोनीत किया है अर्थात् :—

सदस्यों का व्यौरा	राज्य	मनोनीत
	सरकारों के नाम	की तारीख
1. डा. एन. के. अग्रवाल, बी. उत्तर प्रदेश	डॉ. एस., एम. एस. सरकार (यू. एस. ए.), झीन, फैकुल्टी आफ डेन्टल साइन्सेज, के. जी. मेडिकल कालेज लखनऊ।	9-3-1984
2. डा. आर. एस. पठनिया, हिमाचल	सहायक स्वास्थ्य सेवा निदेशक, प्रदेश सरकार (दन्त), हिमाचल प्रदेश सरकार स्वास्थ्य और परिवार कल्याण विभाग, शिमला।	23-4-84

अतः अब उक्त अधिनियम की धारा 3 के खण्ड (ड.) के अनुसरण में केन्द्रीय सरकार एवं द्वारा भारत सरकार के पूर्ववर्ती स्वास्थ्य मंत्रालय की 12 अप्रैल, 1949 की अधिसूचना सं. 10-10-84 एम. 1 में, जो 24 जनवरी, 1984 को भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय (स्वास्थ्य विभाग) की अधिसूचना संख्या का. आ. 430 द्वारा पुनः प्रकाशित की गई थी, निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में धारा 3 के उपबन्ध के साथ पठित खण्ड (ड.) के अधीन "मनोनीत" शीर्ष के अन्तर्गत

(क) कम संख्या 8 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित कम संख्या और प्रविष्टियां रखी जायेंगी अर्थात् :—

"8. डा. एन. के. अग्रवाल मनोनीत मनोनीत
बी. डॉ. एस., एम. एस. उत्तर प्रदेश 9-3-1984"
(यू. एस. ए.), झीन, सरकार

फैकुल्टी आफ डेन्टल साइन्सेज
के. जी. मेडिकल कालेज,
लखनऊ।

(ख) कम संख्या 18 और उससे संबंधित प्रविष्टियों के बाद निम्नलिखित कम संख्या और प्रविष्टियां रखी जायेंगी अर्थात् :—

"19. डा. आर. एस. पठा- मनोनीत 23-4-84"
निया, स्वास्थ्य सेवा सहा- हिमाचल
यक निदेशक (डेन्टल) प्रदेश सरकार
हिमाचल प्रदेश सरकार
स्वास्थ्य और परिवार
कल्याण विभाग, शिमला।

[सं. नो.-12013/4/84-पी. एम. एस.]

कु. सी. सिन्हुरी, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Dept. of Health)

New Delhi, the 26th July, 1984

S.O. 2574.—Whereas in pursuance of clause (e) of section 3 of the Dentists Act, 1949 (16 of 1949), the following persons have been nominated by the State Governments indicated against their names to be the members of the Dental Council of India with effect from the date of nomination shown against each, namely :—

Particulars of Members	Name of the State Governments	Date of nomination
1. Dr. N.K. Agrawal, BDS, MS (USA), Dean, Faculty of Dental Sciences, K.G.'s Medical College, Lucknow.	Uttar Pradesh Government	9-3-1984
2. Dr. R.S. Pathania, Asstt. Director Health Services (Dental), Government of Himachal Pradesh, Health and Family Welfare Deptt., Simla.	Himachal Pradesh Government	23-4-1984

Now, therefore in pursuance of clause (e) of section 3 of the said Act, the Central Government hereby makes the following further amendments in the notification of the Government of India in the erstwhile Ministry of Health No. 10-10/48-MI, dated the 12th April, 1949, as republished by the notification of the Government of India in the Ministry of Health and Family Welfare No. SO 430, dated the 24th January, 1984 namely :—

In the said notification, under the heading "Nominated under clause (e) read with the proviso to section 3,

(a) for serial number 8 and the entries relating thereto, the following serial number and entries shall be substituted, namely —

"8. Dr. N.K. Agrawal, BDS, Nominated 9-3-1984";
MS (USA), Dean, Faculty Uttar Pradesh
of Dental Sciences, K.G.'s Government
Medical College Lucknow.

(b) after serial number 18 and the entries relating thereto, the following serial number and entries shall be inserted, namely :—

"19. Dr. R.S. Pathania, Asstt. Nominated 23-4-1984".
Director Health Services Himachal Pradesh
(Dental),Government of Government
Himachal Pradesh, Health
and Family Welfare
Department, Simla.

[No. V-12013/4/84-PMS]
KUM. C. CINTURY, Under Secy

निर्माण और आवास मंत्रालय

नई दिल्ली, 24 जुलाई, 1984

का. प्रा. 2575.—दिल्ली नगर कला आयोग अधिनियम, 1973 (1974 का 1) को धारा 5 की उपधारा (8) के साथ पठित धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग

करते हुए केन्द्रीय सरकार, श्री भार. एस. प्रदीप को आयोग का अंशकालिक सदस्य नियुक्त करती है और भारत सरकार के निर्माण और आवास मंत्रालय की 16 जून, 1982 की अधिसूचना सं. का. प्रा. 422 (ई) (यथाचित संशोधित में एतद्वारा निम्नलिखित संशोधन करती है:—

"2. श्री भार. एस. प्रदीप

अंशकालिक सदस्य

[सं. ए-11013/4/84-डी. डी. श्री]

चन्द्र सैन, उप सचिव

MINISTRY OF WORKS & HOUSING

New Delhi, the 24th July, 1984

S.O. 2575.—In exercise of the powers conferred by Section 4 read with sub-section (5) of Section 5 of the Delhi Urban Art Commission Act, 1973 (1 of 1974), the Central Government hereby appoints Shri R. L. Pardeep as part-time member of the Commission and makes the following amendment in the notification of the Government of India in the Ministry of Works and Housing, No. S.O. 422(E), dated the 16th June, 1982, namely :—

In the said notification for item 2 and the entries related thereto, the following shall be substituted, namely:—

"2. Shri R. L. Pardeep...Parttime member".

[No. A-11013/4/84-DDVB]
CHANDAR SAIN, Dy. Secy.

काला और नागरिक पूर्ति मंत्रालय

(नागरिक पूर्ति विभाग)

भारतीय मानक संस्था

नई दिल्ली, 11 जुलाई, 1984

कानून 2576—भारतीय मानक संस्था की ओर से एथें द्वारा प्रधिसूचित किया जाता है कि नीचे दी गई अनुसूची के स्तरम् 2 और 3 में दी गई विभिन्न वस्तुओं संबंधी मुहर लगाने की कीस स्तरम् 4, 5 और 6 में उल्लेख के अनुसार पुनरीक्षित कीं गई हैं। मुहर लगाने की पुनरीक्षित कीस की दरें प्रत्येक के प्राप्त दी तिथियों से जागृ होती हैं:

अनुसूची

क्रम संख्या	उत्पाद	भा. मा. की संख्या	इकाई	मुहर लगाने की कीस दर	भारत के राजपत्र भाग II छंड 3 जारी होने की		लागू होने की तारीख		
					प्रति इकाई के लिए	प्रतिक्रमित एस० भा० संख्या			
1	2	3	4	5	6	7	8	9	10
1.	द्रूसफार्मरों और विभ- IS : 335-1972 एक कि. गियर के लिए नए रोधन टेल	1.25	सभी ती.	1.25	सभी	621	—	1980-03-05	1983-01-01
						1980-02-27			
2.	विजली के छत भाले IS : 374-1979 एक मरव	1.00	पहली 10000	1.00	पहली 10000	1417	—	1963-00-25	1982-12-01
	पंक्ति और रेफ्लेक्टर	0.50	प्रगल्ली 20000	0.50	प्रगल्ली 20000	1963-05-09			
		0.25	प्रगल्ली 40000	0.25	प्रगल्ली 40000				
		0.10	प्रगल्ली 100000	0.10	प्रगल्ली 100000				
		0.05	शेष	0.05	शेष				
3.	टैगस्टन फिलार्मेंट भाले IS : 418-1978 100 मरव	0.20	सभी	0.20	सभी	92	—	1977-01-08	1982-12-16
	प्राप्त उपयोग के लिए					1977-12-16			
	विजली के बल्क								
4.	एक केजी पूर्ण धारा IS : 722 (भाग एक मरव बाटमीटर (श्रेणी 2) 2) 1977	0.04	पहली 100000	0.04	पहली 100000	—	—	—	1983-01-01
				0.02	शेष				
5.	तीन केजी पूर्ण धारा IS : 722 (भाग द्वात्त श्रेणी 3) 1977 एक केजी द्रूसफार्मर बालित और बालित बाटर्चेट श्रेणी 2)	0.04	पहली 100000	0.04	पहली 100000	1567	—	1973-08-02	"
		0.02	शेष	0.02	शेष	1973-05-18			
6.	टेलिप्राफ़ और टेलीफोन IS : 731-1971 साइनों के लिए पोर्ट-सेन रोधन	—	0.02	पहली 500000	—	539	—	1967-02-18	1982-12-16
			0.1	शेष		1967-02-06			
7.	झौतवाही इकाई के लिए IS : 810-1974 1000 प्रत्याग्र और लिकास वाल्क	5.00	पहली 500	5.00	पहली 500	2464	—	1977-08-06	1982-07-01
		3.00	प्रगल्ली 500	3.00	प्रगल्ली 500	1977-07-20			
		2.00	शेष	2.00	शेष				
8.	रेलगाड़ियों के लिए IS : 897-1966 10 ट्रैक्स्टन फिलार्मेंट भाले विभाली के बल्क	0.10	सभी	0.10	सभी	2285	—	1976-07-03	1982-12-16
		10	लैम्प			1976-08-04			
9.	एक केजी छोटी एसी IS : 996-1979 एक मरव और यूनिवर्सल विजली की बोटरें	0.75	पहली 5000	0.75	पहली 5000	1009	—	1961-05-06	1983-01-01
		0.50	प्रगल्ली 5000	0.50	प्रगल्ली 5000	1961-04-27			
		0.25	शेष	0.25	शेष				
10.	10 मियी. स्पार्किंग IS : 1063-1963 100 मरव	1.25	पहली 10000	1.25	पहली 10000	1823	—	1961-06-06	1982-12-01
		0.75	शेष	0.75	शेष	1961-07-26			
11.	विजली की बार्मिंग IS : 1653-1972 100 के लिए सभी इस्पात की बोटर	0.60	पहली 5000	0.60	पहली 5000	542	—	1964-02-15	"
		0.30	शेष	0.30	शेष	1964-02-05			

1	2	3	4	5	6	7	8	9	10
12	एक ग्राप्टर टाइप IS: 1851-1975	100	2.00	सभी	2023	—	1964-06-13	1983-01-01	
	मार्क भैंगिंग ट्रांस-		एम्पी		1964-06-04				
	फार्मर								
13	पावर ट्रांसफार्मर	IS: 2026(भाग 1) 1977	एक केबल	0.40 0.20 0.10	पहली 20000 प्रगती 40000 शेष	4808	—	1976-12-25	1983-01-06
14	फ्लैश लाइट	IS: 2083-1978	100	2.50 अद्य	पहली 2500 शेष	1555	—	1966-05-28	1983-01-01
15	मशीनी शोजारों के	IS: 2161-1962	एक प्रदय	3.00	सभी	2512	—	1979-07-21	1982-07-01
16	प्रतिवित असियों के	IS: 2215-1968	1000	6.00 अद्य	पहली 750 शेष	3808	—	1964-11-07	1982-11-01
17	प्रिंटिंग फाइल चेन	IS: 2403-1975	100	0.75 चेन	पहली 10000 शेष	4808	—	1976-12-25	1982-12-01
18	गोल इस्पात की छोटी काढ़ी वाली चेन (भाग 1) 1970	IS: 2429	एक टान	15.00	सभी	1557	—	1973-06-02	1983-01-01
19	रिंग भौंड गतिकर्मों के	IS: 3176-1971	100	1.00 अद्य	सभी	3472	—	1973-12-15	1982-05-01
	रिंग वाले ऊपरी रोलर					1973-11-30			
20	सादी बनी सूखी बनियामें	IS: 4964-1980	एक अद्य	0.025 0.02	पहली 100000 शेष	1557	—	1973-06-02	1983-07-16
21	फ्रॉट शर्टरिंग कार्य के	IS: 4990-1969	100 मी ²	1.00	सभी	—	1970	1980-07-05	1983-01-01
	प्राइवेट एंटर्प्राइज					1980-05-23	"	"	"
22	प्राइवेट खानेवाल खानेवार कंट्रीट ब्लॉक	IS: 5482-1969	1 मी ³	1.50	सभी	"			
23	टोबी एक्सिल फोइर	IS: 5662-1970	100 केबल	0.15 मी	पहली 5000 शेष	"	"	"	1982-04-00
24	मोडरणाडियों के डीसी जनरेटरों (आपातमों)	IS: 5977-1981	एक जनरेटरों	0.25 अद्य	पहली 20000 शेष	"	"	"	1982-08-01
	के लिए रेस्युलेटर								
25	प्राइवेट ब्लॉक प्रतिबलित खोलदार कंट्रीट फार्म और छप के स्टैब	IS: 6073-1971	1 मी ³	1.50	सभी	"	"	"	1983-01-01
26	सेकरीट, खाधप्रैर	IS: 6385-1978	एक किमा.	0.25	सभी	2464	"	1977-08-06	1982-09-01
						1977-07-20			
27	गति भौंड रिंग कराई फैमों के लिए नोज छड़े	IS: 6686-1972	"	0.10	सभी	—	1790	1980-07-05	1982-05-01
						1980-05-23			
28	पोलीएस्टर सूखी कमीजों का कपड़ा	IS: 7085-1973	एक मीटर	0.05 0.03	पहली 1500000 शेष	—	"	"	"
29	1000 बोल्टसातक के	IS: 7098(भाग 1) 1977	100 एक्स एल पी ई केबल	1.50 1.00	पहली 5000 शेष	—	"	"	1982-04-01
30	3-3-33 किवी तक	IS: 7098(भाग 2) 1973	"	5.00	सभी	—	"	"	"
	के एक्सएलपीई केबल								
31	ऊपरी रोलरों के लिए कृपाई	IS: 7115-1975	एक मीटर	0.10	सभी	831	—	1977-03-19	1982-05-01
						1977-02-24			
32	प्राइसकीम कोम	IS: 7187-1978	1000 कोन	0.25 0.20	पहली 10000 शेष	1814	—	1981-05-30	1982-12-01
						1981-05-12			
33	बेलड्हात अस्थ कार्यन इस्पात चुनवशील एसी टिलीन गैस के सिलेंडर	IS: 7312-1974	एक टिलोंडर	5.00 4.00	पहली 10000 शेष	—	1790	1980-07-05	1982-07-01
						1980-05-23			

1	2	3	4	5	6	7	8	9	10
34	मोटरगाइयों के लिए IS : 7372-1974	एक सीसा प्राप्ति वैटरियों	0.30 भ्रदद 0.20	पहली 25000 शेष	—		1984-02-15	1983-03-16	
35	कोन ब्रो वंडे वाले IS : 7417 (भाग कीट नियंत्रण यंत्र के 1) 1974	एक टोंटी	0.35	सभी	2420 1978-08-03	—	1978-08-26	1982-11-01	
36	हस्त आलिस फुहारे IS : 7458-1974	एक के लिए चिङ्काव लास	0.35 लांस	सभी	2415 1978-08-01	—	1978-08-26	„	
37	हस्तबालित फुहारों के IS : 7515-1974	एक कट-प्राप्ति संसाधन	0.35 संसाधन	सभी	2420 1978-08-03	—	1978-08-26	1982-11-01	
38	शक्ति आलित शायुरीय IS : 7593 (भाग 1) फुहार तथा घूलनयंत्र 1975	एक प्रदद	1.50 0.75	पहली 10000 शेष	2512 1979-06-28	—	1979-07-21	„	
39	मियाहल बोमाइड गैस IS : 7682-1975	एक के लिए वेल्डहस्ट प्रस्तु कार्बन स्प्रिंग के गैस सिलेंडर	5.00 सिलेंडर	पहली 10000 शेष	2464 1977-07-20	—	1977-08-06	1982-07-01	
40	गढ़ियां बनाने में IS : 8391-1977	एक प्रयुक्त रबड़ औड़े नारी- यल अटा भूति	15.00 भीटरी टन	पहली 200 शेष	3826 1979-10-31	—	1979-14-24	1982-05-01	
41	स्वचल लाइन बोल्ट्स IS : 8482-1977	एक सुधार यंत्र (घरेलू उप योग के लिए स्टेप दाइप)	3.50 प्रदद	सभी	—	1790 1980-04-23	1980-07-03	1983-03-01	
42	नए उत्पादित एल पी IS : 8737 भाग 2)	एक जी सिलेंडरों के किए 2) 1978	0.15 धाल्व	पहली 30000 शेष	1614 1981-05-12	—	1981-05-30	1982-12-01	

[स० सी एम बी/13 : 10]

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Department of Civil Supplies)
INDIAN STANDARDS INSTITUTION

New Delhi, the 11th July, 1984

S.O. 2576.—The Indian Standards Institution, hereby notifies that the marking fees pertaining to various products referred to in Col 2 and 3 of the following Schedule have been revised as mentioned in Col. 4, 5 and 6 thereof. The revised rate of marking fees shall come into force with effect from the dated shown against each :

SCHEDULE

Sl. No.	Product	IS : No.	Unit	Marking Fee Rate		Reference to Govt of India Gazette Notifica- tion Part-II, Section-3, Sub-section (ii)	Date of Issue	Date of Effect
				Per Unit Rs P	For Unit			
1	2	3	4	5	6	7	8	9
1.	New insulating oils for transformers and switchgear	IS : 335—1972	One Kilolitre	1.25	All	621 1980-02-27	—	1980-03-15 1983-01-01
2.	Electric ceiling type fans and regulators	IS : 374—1979	One Piece	1.00 0.50 0.25 0.10 0.05	First 10000 Next 20000 Next 40000 Next 100000 Remaining	1417 1963-05-09	—	1963-05-25 1982-12-01

1	2	3	4	5	6	7	8	9	10
3.	Tungsten filament general service electric lamps	IS : 418—1978	100 bulbs	0.20	All	92 1976-12-15	—	1977-01-08	1982-12-16
4.	Single-phase whole current watthour meters class 2)	IS : 722 (Pt II)—1977	One Piece	0.04 0.02	First 100000 Remaining	—	—	—	1983-01-01
5.	Three-phase whole-current and transformer operated and single phase transformer operated watthour meter (class 2)	IS : 722 (Pt III)—1977	-do-	0.04 0.02	First 100000 Remaining	1557 1973-05-18	—	1973-06-02	-do-
6.	Porcelain insulators for telegraph and telephone lines	IS : 731—1971	-do-	0.02 0.01	First 500000 Remaining	539 1967-02-06	—	1967-02-18	1982-12-16
7.	Inlet and exhaust valves for internal combustion engines	IS : 810—1974	1000 pieces	5.00 3.00 2.00	First 500 Next 500 Remaining	2464 1977-07-20	—	1977-08-06	1982-07-01
8.	Tungsten filament electric lamps for railways rolling stock	IS : 897—1966	10 Lamps	0.10	All	2285 1976-06-04	—	1976-07-03	1982-12-16
9.	Single-phase small AC and universal electric motors	IS : 996—1979	One piece	0.75 0.50 0.25	First 5000 Next 5000 Remaining	1009 1961-04-27	—	1961-05-06	1983-01-01
10.	14 mm sparking plugs	IS : 1063—1963	100 pieces	1.25 0.75	First 10000 Remaining	1823 1961-07-26	—	1961-08-05	1982-12-01
11.	Rigid steel conduits for electrical wiring	IS : 1653—1972	100 Metre	0.60 0.30	First 5000 Remaining	542 1964-02-05	—	1964-02-15	-do-
12.	Single operator type arc welding transformers	IS : 1851—1975	100 Amp	2.00	All	2023 1964-06-04	—	1964-06-13	1983-01-01
13.	Power transformers	IS : 2026 (Pt I)—1977	One KVA	0.40 0.20 0.10	First 20000 Next 40000 Remaining	4808 1976-12-06	—	1976-12-25	1983-01-16
14.	Flashlights	IS : 2083—1978	100 Pieces	2.50 1.50	First 2500 Remaining	1555 1966-05-16	—	1966-05-28	1983-01-01
15.	Coolant pumps for machine tools	IS : 2161—1962	One Piece	3.00	All	2512 1979-06-28	—	1979-07-21	1982-07-01
16.	Starters for fluorescent lamps	IS : 2215—1968	1000 Pieces	6.00 3.00	First 750 Remaining	3808 1964-10-23	—	1964-11-07	1982-11-01
17.	Bicycle chains	IS : 2403—1975	100 chains	0.75 0.60	First 10000 Remaining	4808 1976-12-06	—	1976-12-25	1982-12-01
18.	Round steel short link chain (electric butt welded)	IS : 2429 (Pt I)—1970	One Tonne	15.00	All	1557 1973-05-18	—	1973-06-02	1983-01-01
19.	Anti-friction bearing type top rollers for ring and speed frames	IS : 3176—1971	100 Piece	1.00	All	3472 1973-11-30	—	1973-12-15	1982-05-01
20.	Plain-knitted cotton vests	IS : 4964—1980	One Piece	0.025 0.02	First 100000 Remaining	1557 1973-05-18	—	1973-06-02	1983-07-16
21.	Plywood for concrete shuttering work	IS : 4990—1969	100 m ²	1.00	All	—	1790 1980-05-23	1980-07-05	1983-01-01
22.	Autoclaved cellular concrete blocks	IS : 5482—1969	1 m ³	1.50	All	—	-do-	-do-	-do-
23.	TV serial feeder cables	IS : 5662—1970	100 Meter	0.15 0.10	First 5000 Remaining	—	-do-	-do-	1982-04-01

1	2	3	4	5	6	7	8	9	10
24.	Regulators for automobile dc generators (dynamos)	IS : 5977—1981	One Piece	0.25 0.15	First 20000 Remaining	—	1790 1980-05-23	180-02-05	1982-08-01
25.	Autoclaved reinforced cellular concrete floor and roof slabs	IS : 6073—1971	1 m ³	1.50	All	—	-do-	-do	1983-01-01
26.	Saccharin, food grade	IS : 6385—1978	One kg	0.25	All	2464 1777-07-20	—	1977-08-06	1982-09-01
27.	Nose bars for speed and ring spinning frames	IS : 6686—1977	—	0.10	All	—	1790 1980-05-23	1980-07-05	1982-05-01
28.	Polyester cotton shirting	IS : 7035—1973	One Metre	0.05 0.03	First 150000 Remaining	—	-do-	-do-	-do-
29.	XLPE cables upto 1100V	IS : 7098 (Pt I)—1977	100 Metre	1.50 1.00	First 5000 Remaining	—	-do-	-do-	1982-04-01
30.	XLPE cables 3.3—33 KV	IS : 7098 (Pt II)—1973	-do-	5.00	All	—	-do-	-do-	-do-
31.	Cots for top rollers	IS : 7175—1975	One Metre	0.10	All	831 1977-02-24	—	1977-03-19	1982-05-01
32.	Ice-cream cones	IS : 7187—1974	1000 Cones	0.25 0.20	First 10000 Remaining	1614 1981-05-12	—	1981-05-30	1982-12-01
33.	Welded low carbon steel dissolved acetylene gas cylinders	IS : 7312—1974	One cylinder	5.00 4.00	First 10000 Remaining	—	1790 1980-05-23	1980-07-05	1982-07-01
34.	Lead-acid storage batteries for motor vehicles	IS : 7372—1974	One piece	0.30 0.20	First 25000 Remaining	—	-do-	-do-	1983-03-16
35.	Hydraulic spray nozzle for pest control equipment, cone and fans type	IS : 7417 (Pt I)—1974	One nozzle	0.35	All	2420 1978-03-03	—	1978-08-26	1982-11-01
36.	Spray lance for manually operated sprayer	IS : 7458—1974	One Lance	0.35	All	2415 1978-08-01	—	1978-08-26	-do-
37.	Cut-off device for manually operated sprayer	IS : 7515—1974	One Device	0.35	All	2420 1978-08-03	—	1978-08-26	1982-11-01
38.	Power-operated pneumatic sprayer-cum-duster	IS : 7593 (Pt I)—1975	One Piece	1.50 0.75	F Remaining	2512 1979-06-28	—	1979-07-21	-do-
39.	Welded low carbon steel gas cylinders for methyl bromide gas	IS : 7682—1975	One Cylinder	5.00 4.00	First 10000 Remaining	2464 1977-07-20	—	1977-08-06	1982-07-01
40.	Rubberized coir sheets for cushioning	IS : 8391—1977	One Tonne	15.00 10.00	First 200 Remaining	3826 1979-10-31	—	1979-11-24	1982-05-01
41.	Automatic line voltage corrector (step type for domestic use)	IS : 8418—1977	One Piece	1.50	All	—	1790 1980-05-23	1980-07-05	1983-03-01
42.	Valve fittings for newly manufactured LPG cylinders	IS : 8737 (Pt III)—1978	One Valve	0.15 0.10	First 30000 Remaining	1614 1981-05-12	—	1981-05-30	1982-12-01

का० अ० 2577—भारतीय मनक संस्था (प्राणन मुहा) विनियम 1955 के तिथि 4 के बन्दरार भाषा यस्था द्वारा दूर परिवर्तित हो जाता है कि नीचे अनुसूची में जिन भारतीय मनको के मध्योद्धरण वर्णित किए गए हैं उन विनियमों दे विनियम 3 के अविनियम (1) के पर्याप्त ग्रन्ति-ओ के अनुसार जारी किए गए हैं।

अनुसूची

* भारतीय मस्तक प्रमाणन महार योजना के उद्देश्यों के लिए यह संशोधना 1981-07-31 में लग चुकी है।

(1)	(2)	(3)	(4)	(5)	(6)
11 IS 1239 (भाग 1)-1979 मृदु हस्पात निकाइ, फिटिंग हस्पास की निकाइ और अन्य फिटिंगों की थिशिएट भाग 1 मृदु हस्पात निकाइ (बोता पुन- रीक्षण)		स० 1 जन० 1981		खड 9.1 की जगह नया खड़ दिया गया है।	1981-01-31
12 IS 1279-1972 गेल ऐल्डन के एम०ओ० 3256 लिए फिलर रडो की विशिष्टि दिनांक 1979-11-21 (दूसरा पुनरीक्षण)		स० 2 दिस० 1980		खड 3.1 और 3.2.1 की जगह नये खण्ड 1980-12-31 दिए गए हैं।	
13 IS 1535 (भा. 10 मे 23)- एम०ओ० 3820 13-6 पर्स, गेम और मल दिस० 1979-11-24 जल के दाय पाइपों के लिए दलपत्र लोडे की फिटिंग की विशिष्टि (दूसरा पुनरीक्षण)		स० 4 जन० 1981		(1) भाग 3 फिटिंगों के सार्केटों की विशिष्टि अपेक्षाएं (पृष्ठ 15 सारणी 1) वर मे एक निम्नलिखित नयी टिप्पणी जोड़ि सार्केट का बहुरी पार्श्वचित्र वैकल्पिक है। (2) भाग 4 पर्सिंग और फिटिंग के कोनों की विशिष्टि अपेक्षाएं पृष्ठ 17 सारणी 1 टिप्पणी 32 (संशोधन स० 3 भी देखें) काठ (3) भाग 23 लेने के लिए लोडों की विशिष्टि अपेक्षाएं पृष्ठ 68 सारणी 1-सारणी के 'मात्रा स्तर' मे "प्रोक्स" शब्द काठ।	
14 IS : 1505-1966 परिचायका एम०ओ० 913 सहित विद्युत उपकरण की विशि- ष्टि (पुनरीक्षित) दिनांक 1907-03-15		स० 1 जन० 1981	(1) खड 0 2' 7.1 1, 7 9 और 7 10 '' जन० 1981	संशोधित किए गए हैं।	1981-01-31
15 IS 1570 (भाग 1)-1978 फिटिंग हस्पात गारणी भाग 1 तनल और अथवा नमन लक्षणी द्वारा निर्दिष्ट हस्पास (पहला पुनरीक्षण)	स० 1 जन० 1981	—	(2) पूर्ण 3 पर +और +चिह्न वाली लघा पूर्ण "0 पर" लघा! चिह्न वाली पार टिप्पणियों की जगह नयी पार टिप्पणिया दी गई हैं।		
16 IS: 2081 (भाग 1)-1976 एम०ओ० 3822 स्वचालित बाहन बैटरियों के लिए दिनांक 1979-11-24 गावत्तुम अन्तस्थ बाले केवल संयोजन जकों की विशिष्टि भाग 1 पीला के (पहला पुनरीक्षण)		स० 2 जन० 1981		पूर्ण 4, आकृति 1 (संजोधन स० 1 भी देखें) (3) (1) और 1981-01-31 पूर्ण ए-1 1 (भी) (3) (2) संशोधित किए गए हैं।	
17 IS 2535-1978 सामान्य और एम०ओ० 3170 भारी हेजीनियरी के लिए बैनराकार टिप्परों के भूलभूल रैक और माइक्रों की विशिष्टि (दूसरा पुनरीक्षण)		स० 1 जन० 1981		पूर्ण 4-आकृति 2 मे दर्शित टेपर टमिनल का आकार केवल नमूनामौरी है। आकृति मे दर्शित आकार के अतिरिक्त अन्य आ- कारों आले गावत्तुम अन्तस्थ केवल संयोजन भी भानक समझे जायेंगे बताने कि वे बताएं गए मापों के अनुरूप हों।	1981-01-31
18 IS : 2614-1969 बम्बुनो के नमूने एम०ओ० 1236 ऐते की पद्धतिया (पहला पुन- रीक्षण)		स० 2 जन० 1981		परिशिष्ट ए० संशोधित किया गया है।	1981-01-31

(1)	(2)	(3)	(4)	(5)	(6)
19.	IS - 2720 (भाग 15)-1965 एस०ओ० 2673 मूदा परीक्षण पद्धतियां भाग 15 दिनांक 1965-08-28 पूँछी भवन गुणधर्म ज्ञात करना।	स० 2 जन० 1981	(1) खंड 2 1, 4 1, 1, और 5 2 3 संख्ये- 1981-01-31 धित किए गए हैं। (2) पृष्ठ 4, 6 और 12 पर विस्तृत बाली पाद टिप्पणियों की जगह नयी पाद टिप्पणियां दी गई हैं।		
20.	IS : 2835--1977 चपटे पारखर्णी एस०ओ० 1995 शीट गिलास की विशिष्टि विनाक 1980-07-26 (पहला पुनरीक्षण)	स० 1 विस० 1980	खंड बी-3 2 की जगह नया खंड दिया गया है।		1980-12-31
21.	IS 3753-1967 माथक पेयों के एस०ओ० 4502 नमूने सेने की पद्धति विनाक 1967-12-23	सं 1 जन० 1981	खंड 5, 1 और सारणी 1 की जगह नये खंड 1981-01-31 और सारणी दी गई है।		
22.	IS : 3944-1966 पलोकपों की विशिष्टि विनाक 1967-06-1	स० 1 विस० 1980	सारणी 1 संशोधित की गई है।		1980-12-31
23.	IS : 4218 (भाग 6)--1978 आई एस और भौतिकी वेज की चूड़ियां भाग 6 विशिष्टि केवलों और विशिष्टों (व्यास रेज 1 से 52 मिमी) के साहजों की सीमा (पहला पुनरीक्षण)	एस०ओ० 1550 दिनांक 1981-05-23	स० 1 जन० 1981	सारणी 3, 6, 7 संशोधित की गई है।	1981-01-31
24.	IS 4510-1978 उच्च गति घासे की विशिष्टि विनाक भेलनाकार भाप स्टेनीलाई-जरो, बाबटाइप की विशिष्टि (पहला पुनरीक्षण)	—	सं 1 जन० 1981	(1) खंड 5, 3 की जगह नया खंड दिया 1981-01-31 गया है। (2) खंड ए-1 नीचे अनीपचारिक मारणी संशोधित की गई है। (3) खंड 5 1 के बाब एक नई टिप्पणी जोड़ी गयी है। (4) पृष्ठ 6 पर "x" विस्तृत बाली एक पाद टिप्पणी जोड़ी गई है।	
25.	IS 4536 (भाग 1)--1968 एस०ओ० 2766 स्टेनेस स्ट्रिप्स के मिश्र तत्त्वों के विशिष्टि विनाक 1968-05-10 ज्ञान पकाने के वर्तनों की विशिष्टि भाग 1 ताका विद्युतनिपित्त	एस०ओ० 2766 दिनांक 1968-05-10	स० 2 विस० 1980	खंड 4.2 के बाब खंड 4.3 जोड़ा गया है।	1980-12-31
26.	IS: 4547--1978 एकरण टेली-विजन प्रसारण संप्रेषणों के लिए संग्राहियों की विशिष्टि (पहला पुनरीक्षण)	एस०ओ० 3170 विनाक 1980-11-15 जन० 1981	स० 1 जन० 1981	(1) पृष्ठ 5, खंड 3, 1, 1 (जी) जस्तमान नामगी की जगह, निम्नविकृत कर ले। बी (यू एक एक रेंज (बैंड 4) विचाराधीन (2) पृष्ठ 6, उपखंड 3, 2, 2 मन्त्रिम बाब इस बाब की जगह निम्नविकृत कर लें: "ठीस प्रबल्स्या में संग्राही की पौरव खपत 60 बाट से ग्राहिक न हो।" (3) सारणी 1 संशोधित की गई है। (4) खंड 0 3 के बाब खंड 0.4 और 0.5 जोड़े गए हैं।	1981-01-31
27.	IS: 4563--1968 खाक वर्गों की विशिष्टि विनाक 1968-10-26	एस०ओ० 3745 दिनांक 1968-10-26	स० 2 जन० 1981	(1) खंड 3 2 की जगह नया खंड दिया गया है। (2) पृष्ठ 4 पर "x" विस्तृत बाली पाद टिप्पणी के बाब "f" बाब टिप्पणी जोड़ी गई है।	1981-01-31
28.	IS: 4651 (भाग 2)--1969 एस०ओ० 1553 गोदी और बन्दरगाह संरचनाओं के विजाइन और निर्माण की रीति संकृता भाग 2 भूवान	एस०ओ० 1553 दिनांक 1972-06-24	प० 1 जन० 1981	अथवा गोदी पृष्ठ 1 और 3 पर विए गए हैं।	1981-01-31

(1)	(2)	(3)	(4)	(5)	(6)
29. IS: 4735-1968 घरेलू प्रयो- एसओ 4425 जनों के लिए विनाई मरीनों के दिनांक 1968-12-11 आमे शाफ्ट में की विशिष्टि		सं 1 जनवरी 1981		(1) खण्ड 2, 1, 6.1 और 7.1.1 संबोधित किए गए हैं। (2) खण्ड 4.1, 4.2 और 7.1 की जगह नये खण्ड दिये गये हैं। खण्ड 3.5.1 की जगह 8 मर्या खण्ड दिया गया है।	1981-01-31
30. IS: 4760-1979 इवेंक्यूट पीटो- लियम गैस के साथ प्रयुक्त घरेलू पाक-उपस्करावली, गिलरों सहित की विशिष्टि (पहला पुनरीक्षण)	—	सं 0 1 जनवरी 1981			1981-01-31
31. IS: 5490 (भाग 3)--1979 मूवाहू प्रयन शामको और रासा- धनिक प्रयन इजनों के रीफिलों की विशिष्टि भाग 350 औटर क्षमता वाले सोडा अम्ल रासा- धनिक प्रयन इजनों, के लिए (पहला पुनरीक्षण)	—	सं 0 1 जनवरी 1981		पृष्ठ 4 पर खण्ड 2.3 और + चिन्ह बाली पाद टिप्पणी बदल दी गई है।	1981-01-31
32. IS: 5500-1977 कम्पन रोलरों एसओ 1601 की विशिष्टि (पहला पुनरीक्षण) दिनांक : 1980-06-11		सं 0 1 जनवरी 1981		(1) खण्ड 2.9 (बी) 5.15 और 5.1.7 संबोधित किए गए हैं। (2) खण्ड 5.1.3 और 5.1.6 तथा पृष्ठ 5 पर // चिन्ह बाली और पृष्ठ 6 पर + "चिन्ह बाली पाद टिप्पणी बदल दी गई है। (3) खण्ड 2.9 और 6.5 के बाद कम्पन खण्ड 2.10 और 6.6 जोड़े गए हैं। (4) पृष्ठ 5 और 6 पर // "चिन्ह बाली बाद-टिप्पणिया जोड़ी गई है।	1981-01-31
33. IS. 5849--1970 योनि प्रगतिशीली रीट्रैक्टर (सिमि नमूने का) की विशिष्टि	एसओ 1277 दिनांक 1972-05-27	सं 0 1 जनवरी 1981		खण्ड 6.3 की जगह नया खण्ड दिया गया है।	1981-01-31
34. IS: 3889--1970 कंपन प्लेट कर्स्टेक्टर की विशिष्टि	एसओ 886 दिनांक 1973-03-24	सं 0 1 जनवरी 1981		(1) खण्ड 2.4, 5.1.1, 5.1, 5.1.2, 5.1.3, 7.1, 7.2.1, 7.2.3, 7.2.4, (क) और 7.2.1.0 संबोधित किए गए हैं। (2) पृष्ठ 4 पर + "चिन्ह बाली और + " बाली पृष्ठ 5 पर + " बाली पृष्ठ 6 पर × " विन्ह बाली पृष्ठ 7 पर -- चिन्ह बाली और पृष्ठ 9 पर ± चिन्ह बाली पाद टिप्पणिया बदल दी गई है।	1981-01-31
35. IS. 5606-1970 योनि स्पेक्ट्रम (कम्पको नमूने का) विशिष्टि	एसओ 1635 दिनांक 1972-07-08	सं 0 जन 1981		खण्ड 6.2 की जगह नया खण्ड दिया गया है।	1981-01-31
36. IS: 6073--1971 कार्बीइड टिप्पदार-उक्त प्लाईट वाले प्लायिंग श्रीजारों की विशिष्टि	एसओ 1549 दिनांक : 1973-06-02	सं 0 1 जनवरी 1981		(1) खण्ड 2.1, 2.2, और 2.3 से 2.8 तक के नीचे असौप्राकृत सारणिय संक्षेपित की गई है। (2) खण्ड 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8 की असौप्राकृत मारणियों के नीचे नये पदनाम दिए गए हैं। (3) खण्ड 7 की वर्तमान सामग्री की जगह नई सामग्री दी गई।	1981-01-31
37. IS: 6283-1971 इविं ट्रैक्टरों और एसओ 751 दिनांक कार्बी मरीनरी पर चालन तिथ- शब्द के चिन्ह	एसओ 751 दिनांक 1974-03-16	सं 0 1 जन 1981		पृष्ठ 7 पर वर्तमान सकेत सं 20 की जगह नया चिन्ह दिया गया है।	1981-01-31

1	2	3	4	5	6
38	IS 6337-1971 अस्ट पैड (फिल्म-वर्ग) की विशिष्टि	--	प्र० 1 अक्टूबर 1980	(1) यड 4 और 6 प्र० नसलिंग ;) की जगह नए खण्ड दिए गये हैं। (2) पृ० 2, खण्ड 5, काटे, और बाद के छोटे छोटे तदनुसार सभ्या बदले। खण्ड 6 की जगह नया खण्ड दिया गया है।	1980-10-30
39	IS 6490-1971 गर्भाग्रय की दो एस ओ 751 मिरो वाली तीखी खुरचनी (सिम दिनांक 1974-08-16 नमूने ही) की विशिष्टि	--	प्र० 1 जन 1981	खण्ड 0 2 की जगह नया खण्ड दिया गया है।	1981-01-31
40	IS 6510-1971 अन्तर्राष्ट्रीय एस ओ 1853 जीवोंत्परीक्षा के लिए वृषण दिनांक 1974-07-27 नमूने की खुरचनी वी विशिष्टि	--	प्र० 1 जन 1981	खण्ड 6 2 की जगह 10 खण्ड दिया गया है।	1981-01-31
41	IS 6578-1972 टिस्ट्र और चिम-एसओ 115 टिगो की विशिष्टि	दिनांक 1975-01-11	प्र० 1 जन 1981	खण्ड 6 2 की जगह 10 खण्ड दिया गया है।	1981-01-31
42	IS 6911-1972 मेनेलेस इम्पार लेटे चद्दर और पन्नी की विशिष्टि	एसओ 2557 दिनांक 1975-08-09	स० 2 दिन 1980	संशोधिया 18 और 19 संशोधित की गई हैं।	1980-12-31
43	IS 7080-1973 चूपण गर्भाग्रय उपकरण वी विशिष्टि	--	स० 2 जन 1981	खण्ड 5 4 की जगह नया खण्ड दिया गया है।	1981-01-31
44	IS 7100-1973 शिरच्छेद दृश्य की विशिष्ट जोड़ीड़न नमूने के	--	स० 1 जन 1981	खण्ड 6 2 की जगह नया खण्ड दिया गया है।	1981-01-31
45	IS 7258-1971 एक शिफल वाली एसओ 988 स्ट्रॉन्डिंग मशीनों की परीक्षण दिनांक 1976-03-06 दिल्ली	--	स० 1 जन 1981	खण्ड 2 3 की जगह नया खण्ड दिया गया है।	1981-01-31
46	IS 7378-1974 बिस्ट्र, काउनर एसओ 2858 अस्पन्ड की विशिष्टि	दिनांक 1976-09-01	प्र० 1 जन 1981	(1) पृष्ठ 1, खण्ड 3 1, परिवर्तन 1-1-अचूकों 1 की जगह अकृति 1 और 1-ए कर ले। (2) पृष्ठ 2 पर आकृति 1 की जगह नया आकृति 2 की गई है। (3) आकृति 1 के बाद एक नई आकृति दी गई है।	1981-01-31
47	IS 7406-1974 उर्धवरूप भरने के एसओ 1237 निए पटमन के पर्याप्त थैलों की दिनांक 1976-01-03 विशिष्टि	--	स० 3 दिल 1981	(1) खण्ड 3-1 1 और 1 । संशोधित दिए गए हैं। (2) प्रथम आवण पृष्ठ पृष्ठ 1 स 9 पदनाम-वर्तमान पदनाम की जगह IS 7406 भाग-1 (1-1974 कर ले। (3) प्रथम आवण पृष्ठ, पृष्ठ 1 और 3 पर दीप्र की जगह नया शीर्ष कर दिया गया है। (4) पृष्ठ 3 आर 5 पर '+' चिन्हबली पाइ-टिप्पणियों की जगह नई पाद टिप्पणी दी गई है। (5) खण्ड 2 3 3 की जगह नया खण्ड दिया गया है। (6) पृष्ठ 9 खण्ड 4=1, टिप्पणी 2, आर 3 7407-1971 के अनुरूप की जगह मानव में निर्दिष्ट कर ले। (7) पृष्ठ 9×" चिन्हबली पाइ-टिप्पणी काट द। (8) खण्ड 0 2 के बाद 0.3 जोड़ा गया है और बाद के खण्डों की स० तदनुसार बदल दी गई है।	1980-12-31
48	IS 7655-1975 खाट पिण्डा एसओ 3530 ऐने की गीति महिता 1	दिनांक 1977-11-19	प्र० 1 जन 1991	पृष्ठ 8 खण्ड 5-1-3(क) अनौपचारिक संरचना द्वारा स्थापित, छठा इन्द्रिय '450 जी' की जगह 450 मिला कर ले।	1981-01-31
49	IS 7879(भाग 1) 1975 वैसा-एस ओ 1596 निम्न शब्दावली भाग 1 सामान्य 1 दिनांक 1973-05-19	--	प्र० 1 जन 1981	पृष्ठ 1 प्र० दर्शनान शीर्ष की जगह नया शीर्ष दिया गया है।	1981-01-21

भारतीय मानक सभ्या प्रमाणन विभाग वीजिनो के प्रयोजनों के लिए प्रयोग में जैसे जैसे 1991-04-01 से लगू होगा।

1	2	3	4	5	6
50	IS 7570(भा 2)-1975 टैमो-एमो 13 नियन्त्रित सामान वयुपत्र दिनांक 19-9-1975	सं १ जन १९८०	पृष्ठ 1 पर "गोशवा जाति" र्ण दिन होते हैं।		1981-01-31
51	IS 1870(भाग) 970 ऐप-एमो 1996 नियन्त्रित भा 3 सामान दिनांक 1979-05-19	सं १ जन १९८०	व-		1981-01-31
52	IS 3018-1979 नियन्त्रित दूदलेली को एमओ 250 विशिष्ट दिनांक 19-8-1972	सं २ दिन १९८०	(1) खं ३ १ समोधित जिन वर्ष है। (2) पृष्ठ 17 पर X चिन्हिती पाद दिनांक ११-१०-८८ पाद दिनांक ११-१०-८८ होते हैं।		1990-12-31
53	IS 3607 (भाग 2) 1976 नियन्त्रित कर्य म पयुक्त जिला उपसर वी भाग और सुरक्षा ओक्साए भाग 2 विद्युत अधिकार स मुक्ता।	सं १ जन १९८१	माना १ और ३ समोधित की गई हैं।		1981-01-31
54	IS 8942-1979 अग्रणि के टक्कर बेट्ट लिए रहा एमओ 1979 थले उच्च मन ओक्सिग्न औजार ती विशिष्ट	सं १ जन १९८१	खड़ ४ की जाह नका खड़ दिया गय है।		1981-01-31

इन समोन्ता की प्रतिक्रिया भारतीय मनव सम्म अनक समर उत्तरांश हजार मा नदिली 110002 तथा अड्डमध्यव बराऊर भोपल भुवनेश्वर वस्त्र वास्ता चडी छैदर वाद, जप्पुर व वारु पत्रा पठन और लिन्नम स्थित गता वर्धाने मे उपलब्ध हैं।

[सं ८० एम०डी०१३ ५]
एम० वीम अमर महानिदेशक

SO 2577—In pursuance of regulation 4 of the Indian Standards Institution (Constitution) Regulation 1955, the Indian Standards Institution, hereby, notifies that a new note is to the Indian Standard, given in the schedule annexed has/have been issued under the powers conferred by the sub-regulation(1) of Regulation 3 of the said Regulations.

THE SCHEDULE

Sl No	No and title of the Indian Standard amending	No. of Date of Gazette of the Notification in which the establishment of the Indian Standard was noted	Brief Particulars of the Amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)	(5)
1	IS 177-1977 Specification for cotton crimp (third revision)	S O 2118 dated 1980-08-02	No 3 J.R. 1981 (i) Clause 221 and table 2 have been substituted by new ones (ii) Table I has been amended, the existing note has been re-signed as Note 1 and new note 2 has been added	1981-01-31
2	IS 203-1977 Specification for boric acid (first revision)	S O 612 dated 1980-03-05	No 1 Dec 1980 (i) Clause 4 is deleted and clause A 2 is inserted in its place by new ones	1980-12-31
3	IS 489 (Part I) - 1973 Specification for glass ampoules (I) & ampoules for liquid insecticides (second revision)	S O 2118 dated 1975-09-09	No 1 Jan 1981 (i) Part I has a new clause A 2 has been added after clause 6 and the existing annexure has been re-signed as Appendix B (ii) Clause 12 has been replaced by clause 11	1981-01-31
4	IS 554-1975 Dimensions for pipe threads, (second revision)	S O 2239 dated 1977-09-05	No 1 Jan 1981 (i) Clause 4 has been removed	1981-01-31
5	IS 129-1965 Specification for bicycle (revised)	S O 2100 dated 1980-08-03	No 2 Dec 1980 (i) Clause 55 has been substituted by a new one	1980-12-31

(1)	(2)	(3)	(4)	(5)	(6)
6. IS : 731-1971 Specification for porcelain insulators for overhead power lines with a nominal voltage greater than 1000 V (second revision)	S.O. 751 dated 1974-03-16	No. 4 Jan. 1981	Table 2 has been amended.		1981-01-31
7. IS : 917-1976 Specification for activated calcium carbonate for rubber industry. (first revision)	S.O. 99 dated 1980-01-12	No. 1 Dec. 1980	(i) Table 1 has been amended and a new foot-note with '†' mark has been added after foot-note with '*' mark. (ii) Appendix G has been added after Appendix F		1980-12-31
8. IS : 1155-1968 Specification for wheat ATTA (second revision)	S.O. 2766 dated 1968-08-10	No. 2 Jan. 1981	Clause A-1.1 has been amended.		1981-01-31
9. IS : 1165-1975 Specification for milk powder. (second revision)	—	*No. 2 Dec. 1980	(i) Clause 4.1.1 has been substituted by a new one. (ii) Page 6 (page 7 of the Reprint) foot-note with '*' mark—Delete.		1980-12-31
10. IS : 1200 (Part XVII)—1969 Method of measurement of building and civil engineering work : Part XVII Roadwork including airfield pavements. (second revision)	S.O. 4311 dated 1969-10-25	No. 2 Jan. 1981	(i) Clause 4.2, 7.1.2 and 7.1.3 have been amended. (ii) Foot-notes with '*' mark at page 5, with '*' and '†' marks at page 6 have been substituted by new ones.		1981-01-31
11. IS : 1239 (Part I)—1979 Specification for mild steel tubes, tubulars and other wrought steel fittings : Part I Mild steel tubes. (fourth revision)	—	No. 1 Jan. 1981	Clause 9.1 has been substituted by a new one.		1981-01-31
12. IS : 1278-1972 Specification for filler rods for gas welding. (second revision)	S.O. 3256 dated 1973-11-24	No. 2 Dec. 1980	Clauses 3.1 and 3.2.1 have been substituted by new ones.		1980-12-31
13. IS : 1538 (Parts I to XXIII)—1976 Specification for cast iron fittings for pressure pipes for water, gas and sewage (second revision)	S.O. 3820 dated 1979-11-24	No. 4 Jan. 1981	(i) Part III Specific requirements for sockets of fittings : (Page 15, Table 1)—Add the following new note at the end : 'Note—Outside profile of the socket is optional' (ii) Part IV Specific requirements for flanges of pipes and fittings : Page 17, Table 1, Note 2 (see also amendment No. 3)—Delete (iii) Part XXIII Specific requirements for blank flanges : Page 68, Table 1—Delete the word 'Approx' from the table under column 'Mass'. —		1981-01-31
14. IS : 1565-1966 Specification for electrical apparatus comprising resistors. (revised)	S.O. 913 dated 1967-03-18	No. 1 Jan. 1981	(i) Clauses 0.2, 7.1.1, 7.9 and 7.10 have been amended. (ii) Foot-notes with '†' and '‡' marks at page 3 and with '*' and '†' marks at page 9 have been substituted by new ones.		1981-01-31
15. IS : 1570 (Part I)—1978 Schedules for wrought steels : Part I Steels specified by tensile and/or yield properties. (first revision)	—	No. 1 Jan. 1981	Table 1, clauses A-1.1(d) 3) (i) and A-1.1 (d) 3) (ii) have been amended.		1981-01-31
16. IS : 2081 (Part I)—1976 Specification for taper terminal cable connectors for automobile batteries : Part I Brass type connectors. (first revision)	S.O. 3822 dated 1979-11-24	No. 2 Jan. 1981	Page 4, Fig. 1 (see also amendment No. 1) Note—redesignate it as 'Note 1' and add the following new note after it : 'Note 2-The shape of the taper terminal shown in the figure is only typical. Taper terminal cable connectors of shapes other than that shown in the figure shall also be considered standard, provided they comply with the dimensions indicated.'		1981-01-31

*For purposes of ISI Certification Marks Scheme; this amendment shall come into force with effect from 1981-05-31

17.	IS : 2535-1978 Specification for basic rack and modules of cylindrical gears for general engineering and heavy engineering. (second revision)	S.O.3170 dated 1980-11-15	No. 1 Jan 1981	Fig. 1 at page 4 has been substituted by a new one.	1981-01-31
18.	IS : 2614-1969 Methods for sampling of fasteners. (first revision)	S.O.1236 dated 1970-04-04	No. 2 Jan 1981	Appendix A has been amended.	1980-01-31
19.	IS : 2720 (Part XV)—1965 Methods of test for soils : Part XV Determination of consolidation properties.	S.O. 2673 dated 1965-08-28	No. 2 Jan 1981	(i) Clauses 2.1, 4.1.1 and 5.2.3 have been amended. (ii) Foot-notes with '*' mark at pages 4, 6 and 12 have been substituted by new ones.	1981-01-31
20.	IS : 2835-1977 Specification for flat transparent sheet glass. (second revision)	S.O.1995 dated 1980-07-26	No. 1 Dec 1980	Clause B.3.2 has been substituted by a new one.	1980-12-31
21.	IS : 3753-1967 Method of sampling for alcoholic drinks.	S.O.4562 dated 1967-12-23	No. 1 Jan 1981	Clause 5.1 and table 1 have been substituted by new ones.	1981-01-31
22.	IS : 3944-1966 Specification for flow cups.	S.O.1972 dated 1967-06-10	No. 1 Dec 1980	Table 1 has been amended.	1980-12-31
23.	IS : 4218 (Part VI)—1978 ISO Metric screw threads : Part VI Limits of sizes for commercial bolts and nuts (diameter range 1 to 52 mm) (first revision).	S.O.1550 dated 1981-05-23	No. 1 Jan 1981	Tables 3, 6 and 7 have been amended.	1981-01-31
24.	IS : 4510-1978 Specification for horizontal cylindrical high speed steam sterilizers, pressure type. (first revision)	—	No. 1 Jan 1981	(i) Clause 5.3 has been substituted by a new one. (ii) Informal table under clause A-1 has been amended. (iii) A new note has been added after clause 5.1 (iv) Foot-note with '*' mark has been added at page 6.	1981-01-31
25.	IS : 4536 (Part I)—1968 Specification for composite bottom stainless steel cooking utensils : Part I Copper electrodeposited.	S.O.2766 dated 1968-08-10	No. 2 Dec 1980	Clause 4.3 has been added after clause 4.2	1980-12-31
26.	IS : 4547-1978 Specification for receivers for monochrome television broadcast transmissions. (first revision)	S.O.3170 dated 1980-11-15	No. 1 Jan 1981	(i) Page 5, clause 3.1.1(b)—Substitute the following for the existing matter : '(b) UHF Range (Band IV)—Under consideration.' (ii) Page 6, sub-clause 3.2.2 last sentence—Replace this sentence by the following 'The power consumption for the solid state receiver should not exceed 60 watts'. (iii) Table 1 has been amended. (iv) Clauses 0.4 and 0.5 have been added after clause 0.3	1981-01-31
27.	IS : 4563-1968 Specification for block squares.	S.O.3745 dated 1968-10-26	No. 2 Jan 1981	(i) Clause 3.2 has been substituted by a new one. (ii) Foot-note with 'f' mark has been added at page 4 after foot-note with '*' mark.	1981-01-31
28.	IS : 4651 (Part II)—1969 Code of practice for design and construction of dock and harbour structures : Part II Earth pressures.	S.O.1555 dated 1972-06-24	No. 1 Jan 1981	Title at first cover page, pages 1 and 3 have been substituted by new ones.	1981-01-31
29.	IS : 4735-1968 Specification for arm shaft cams for sewing machines for household purposes.	S.O.4425 dated 1968-12-14	No. 1 Jan 1981	(i) Clauses 2.1, 6.1 and 7.1.1 have been amended. (ii) Clauses 4.1, 4.2 and 7.1 have been substituted by new ones.	1981-03-31
30.	IS : 4760-1979 Specification for domestic cooking ranges including grillers for use with liquefied petroleum gases. (first revision)	—	No. 1 Jan 1981	Clause 3.5.1 has been substituted by a new one.	1981-01-31

(1)	(2)	(3)	(4)	(5)	(6)
31. IS : 5490 (Part III)—1979 Specification for refills for portable fire extinguishers and chemical fire engines : Part III For soda acid chemical fire engines, 50 litre capacity (first revision)	—	No. 1 Jan 1981	Clause 2.3 and foot-note with ' mark at page 4 have been substituted by new ones.		1981-01-31
32. IS : 5500-1977 Specification for vibratory roller. (first revision)	S.O. 1601 dated 1980-06-14	No. 1 Jan 1981	(i) Clauses 2.9(b), 5.1.5 and 5.1.7 have been amended. (ii) Clauses 5.1.3, 5.1.6, foot-notes with '=' mark at page 5 and with '†' mark at page 6 have been substituted by new ones. (iii) Clauses 2.10 and 6.6 have been added after clauses 2.9 and 6.5 respectively. (iv) Foot-notes with 'π' mark at pages 5 and 6 have been added.		1981-01-31
33. IS : 5849-1970 Specification for retractor, anterior vaginal (Sim's pattern).	S.O. 1277 dated 1972-05-27	No. 1 Jan 1981	Clause 6.1 has been substituted by a new one.		1981-01-31
34. IS : 5389-1970 Specification for vibratory plate compactor.	S.O. 886 dated 1973-03-24	No. 1 Jan 1981	(i) Clauses 2.4, 5.1.1, 5.1.2, 5.1.3, 7.1, 7.2.1, 7.2.3, 7.2.3.1(a) and 7.2.10 have been amended. (ii) Foot-notes with '*' and '†' marks at page 4, with '*' '†' and '‡' marks at page 5, with '*' mark at page 6, with '‡' mark at page 7 and with '‡' mark at page 9 have been substituted by new ones		1981-01-31
35. IS : 5903-1970 Specification for speculum, vaginal (Cusco's pattern).	S.O. 1635 dated 1972-07-03	No. 1 Jan 1981	Clause 5.2 has been substituted by a new one.		1981-01-31
36. IS : 6075-1971 Specification for carbide tipped single point planning tools.	S.O. 1549 dated 1973-06-02	No. 1 Jan 1981	(i) Informal tables under clauses 2.1, 2.2 and 2.3 to 2.8 have been amended. (ii) Designation under informal tables of clauses 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7 and 2.8 have been substituted by new ones. (iii) Existing matter of clause 7 has been substituted by a new one		1981-01-31
37. IS : 6283-1971 Symbols for operator controls on agricultural tractors and farm machinery.	S.O. 751 dated 1974-03-16	No. 1 Jan 1981	Existing symbol No. 20 at page 7 has been substituted by a new one.		1981-01-31
38. IS : 6337-1971 Specification for thrust pads (fixtures)	—	No. 1 Oct. 1980	(i) Clauses 4 and 6 (renumbered as clause 5) have been substituted by new ones (ii) Page 2, clause 5-Delete and renumber the subsequent clauses accordingly.		1980-10-20
39. IS : 6499-1971 Specification for curette, uterine, double-ended, sharp, Sim's pattern.	S.O. 751 dated 1974-03-16	No. 1 Jan 1981	Clause 6.3 has been substituted by a new one		1981-01-31
40. IS : 6510-1971 Specification for curette, endometrial biosphy, suction type.	S.O. 1853 dated 1974-07-27	No. 1 Jan 1981	Clause 0.2 has been substituted by a new one		1981-01-31
41. IS : 6578-1972 Specification for forceps, ovum.	S.O. 115 dated 1975-01-11	No. 1 Jan 1981	Clause 6.2 has been substituted by a new one.		1981-01-31
42. IS : 6911-1972 Specification for stainless steel plate, sheet and strip.	S.O. 2557 dated 1975-08-09	*No. 2 Dec 1980	Tables 18 and 19 have been amended.		1980-12-31
43. IS : 7080-1973 Specification for suction abortion apparatus.	—	No. 2 Jan 1981	Clause 5.4 has been substituted by a new one.		1981-01-31
44. IS : 7100-1973 Specification for hook, decapitation, Jordin's pattern.	—	No. 1 Jan 1981	Clause 6 has been substituted by a new one.		1981-01-31
45. IS : 7258-1974 Test chart for woodworking single spindle moulding machines	S.O. 998 dated 1976-03-06	No. 1 Jan 1981	Clause 2.3 has been substituted by a new one.		1981-01-31
46. IS : 7378-1974 Specification for bed, fowler's hospital.	S.O. 2858 dated 1976-08-07	No. 2 Jan 1981	(i) Page 1, clause 3.1, line 1—substituted 'Fig. 1 and 1A' for 'Fig 1' (ii) Fig 1 at page 2 has been substituted by a new one. (iii) A new figure has been added after Fig 1		1981-01-31

For purposes of ISI Certification Marks Scheme; this amendment shall come into force with effect from 1981-04-01.

(1)	(2)	(3)	(4)	(5)	(6)
47. IS : 7405-1974 Specification for laminated jute bags for packing fertilizers.	S.O.1232 dated 1976-04-03	No. 3 Dec 1980	(i) Clauses B-2.1 and 1.1 have been amended. First cover and pages 1 to 9, designation Substitute 'IS : 7406 (Part I) —1974' for the existing designation. (ii) Title at first cover page, pages 1 and 3 has been substituted by a new one. (iv) Foot notes with '*' mark at pages 3 and 5 have been substituted by new ones. (v) Clause 2.3.3 has been substituted by a new one. (vi) Page 9, clause B 4.1, note 2, lines 2 and 3—Substitute 'specified in the standard' for 'conforming to IS : 7407 1974'** (vii) Page 9, foot note with '*' mark Delete (viii) Clause 0.3 has been added after clause 0.2 and the subsequent clauses renumbered accordingly.	1980-12-31	
48. IS : 7655-1975 Code of practice for food advertising.	S.O.3530 dated 1977-11-19	No. 1 Jan 1981	Page 8, clause 5.1.3(a), informal table, second column, sixth entry—Substitute '450 mg' for '450 G'.	1981-01-31	
49. IS : 7879 (Part I)—1975 Glossary of aeronautical terms : Part I General.	S.O. 1596 dated 1979-05-19	No. 1 Jan 1981	Existing title at page 1 has been substituted by a new one.	1981-01-31	
50. IS : 7879 (Part II)—1975 Glossary of aeronautical terms : Part II Motion of aircraft.	S.O. 313 dated 1979-01-27	No. 1 Jan 1981	Existing title at page 1 has been substituted by a new one.	1981-01-31	
51. IS : 7879 (Part III)—1975 Glossary of aeronautical terms : Part III Structures.	S.O. 1596 dated 1970-05-19	No. 1 Jan 1981	Existing title at page 1 has been substituted by a new one.	1981-01-31	
52. IS : 8048 1976 Specification for electro cardiograph.	S.O.2505 dated 1979-07-21	No. 2 Dec 1980	(i) Clause 7.4 has been amended. (ii) Foot note with '*' mark at page 17 has been substituted by a new one.	1980-12-31	
53. IS : 8607 (Part II)—1978 General and safety requirements for electrical equipment used in medical practice : Part II Protection against electric shock.	—	No. 1 Jan 1981	Tables 2 and 3 have been amended.	1981-01-31	
54. IS : 8842 1978 Specification for high speed steel butt welded single point planning tools.	—	No.1 Jan 1981	Clause 8 has been substituted by a new one.	1981-01-31	

Copies of these amendments are available with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg New Delhi 110002 and also from its branch office at Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Bombay, Calcutta, Chandigarh Hyderabad, Jaipur, Kanpur, Madras, Patna and Trivandrum.

[No. CMD/13 : 5]
A.S. CHEEMA Addl. Director General

सूचना और प्रभारण मंत्रालय

नई दिल्ली, 26 जून, 1984

आवेदन

का० अ० 2578.—भारत सरकार के सूचना और प्रभारण मंत्रालय के आदेश नं० 3792, दिनांक 2 फ़िब्रुवरी, 1966 को प्रयत्न अनुसूची में लिंडिष्ट प्रथम अधिनियम के उपर्युक्त के अन्तर्गत जारी किये गये निर्देशों के अनुसरण में केंद्रीय सरकार, फ़िल्म मताकार बोर्ड, अम्बर्ड की सिफारिशो पर विचार करने के बाद एतद्वारा इसके साथ लगी अनुसूची के कालम 2 में ये गई फ़िल्मों को, उनके सभी-सारांश भाषायां के लगानीरों सहित, जिनका विचारण प्रथम के सामने उक्त अनुसूची के कालम 6 में दिया हुआ है, स्पीकर करता है:—

अनुसूची

क्रम	फ़िल्म का नाम	फ़िल्म की अवधि	आवेदक का नाम	निर्माता का, न.म	का, वैज्ञानिक फ़िल्म है या शिक्षा संबंधी फ़िल्म है या सभाचार और वास्तविक अठानाओं की फ़िल्म है या इकूमेंट्री फ़िल्म है।
संख्या		(मिट्टरों में)			

1	2	3	4	5	6
1	धीर मावरकर	599.00	फ़िल्म प्रशासन, 24 पैरेश रोड, बम्बई-400026		इकूमेंट्री फ़िल्म / सभाचार प्रवर्णन के लिए।

1	2	3	4	5	6
2.	प्लाईट 19	526.00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई-400026	—	डाकुमेंट्री फिल्म/मानाध्य प्रदर्शन के लिए।
3.	बिन पार्सी सब सून	269.13	श्री एन० जी० खिरवाडकर, उपनिषेद- श्री संदीप बनर्जी, निवेशक, सूचना शक, सूचना और प्रधार, मध्य और प्रधार, मध्यप्रदेश सरकार, प्रोवेश सरकार, भोपाल। भोपाल।	—	डाकुमेंट्री फिल्म/तथ्य प्रदेश मर्किट में प्रदर्शन के लिए।
4.	महिति चित्र संख्या 389	298.70	महाराष्ट्र निवेशक, सूचना, गुजरात सरकार, निवेशक, सूचना, गुजरात सरकार, सरकार, रामनाथ लेलोरेट्री लिमि- सचिवालय, गोधीनगर। टेड. 77, डा० एसी ब्रेसेट रोड बर्सी, बम्बई-18	—	समाचार और सामयिक घटनाओं की फिल्म/गुजरात मर्किट में प्रदर्शन के लिए।
5.	हेस्ट घोरसैल्फ	276.45	वासिल-उल-ठक, मार्केत गोल्डन एक्सीप- मेंट्स, गैरेज संख्या 10, नून नगर, टॉर्च रोड, बांद्रा (परिषद)	—	डाकुमेंट्री फिल्म/मानाध्य प्रदर्शन के के लिये।
6.	पर्लिक प्रोवीडेंट फंड	304.80	श्रीमती द्वारका वेद, "प्राथम" 450, गोल्डन रोड, पुणे-411016	—तर्दीव—	
7.	वरवान	563.88	एम० भार० साज, प्रोपराइटर : एम्पा एम०वी बेकसे एजेंसियेशन, 4/5, काजी अलाक्ष्य, 291, एस० बी० रोड, बांद्रा, बम्बई-400050	—	डाकुमेंट्री फिल्म/पर्वत-गाहरी तथा पासोन लेट्रों में प्रदर्शन के लिए।
8.	ए रेस विव ईम (कर्ट्टून)	230.12	फिल्मप्रभाग, 24-पैडर रोड, बम्बई-26	—	डाकुमेंट्री फिल्म/मानाध्य प्रदर्शन के लिए।
9.	एक्सप्लोटेशन एंट्रार्केटिका	583.00	—तर्दीव—	—तर्दीव—	
10.	फोक फ़ियर तरनेतर	470.92	सहायक निवेशक, गुजरात सरकार, निवेशक, सूचना, गुजरात सरकार, रामनाथ लिमिटेड लेलोरेट्री लिमिटेड, सचिवालय, गोधीनगर। 77, डा० एसी ब्रेसेट रोड, बर्सी, बम्बई-18	—	डाकुमेंट्री फिल्म/गुजरात सर्किट में प्रदर्शन के लिए।
11.	महाराष्ट्र समाचार संख्या 388	274.00	सूचना और जन संपर्क महानिवेशालय, महाराष्ट्र सरकार, फिल्म सेंटर, 68-सारदेव रोड, बम्बई-34	—	समाचार तथा सामयिक घटनाओं की फिल्म/गुजरात सर्किट में प्रदर्शन के लिए।
12.	बार्टा तरगिनी संख्या 39	285.00	आंध्र प्रदेश राज्य फिल्म विकास नियम लिमिटेड, 11-5-423/1, जकर बाग, लकड़ी का पुल, हैदराबाद।	—	समाचार तथा सामयिक घटनाओं की फिल्म आंध्र प्रदेश सर्किट में प्रदर्शन के लिये।
13.	आई. यू. डी. कापरटी	68.00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई- 400026.	—	डाकुमेंट्री फिल्म / मानाध्य प्रदर्शन के लिये।
14.	फर्टिसाईजर फटिलाईजर फटिलाईजर	312.00	—सर्थी—	—तर्दीव—	
15.	श्री हैब रीच ईम	229.00	रानेन चटर्जी, सी / 10/1, जीवन बीमा- शगर, बोरीविली, बम्बई-103	—	—तर्दीव—
16.	नेहरू इन रिमेंडरेस	549.00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई- 26	—	—तर्दीव—
17.	एसीएस	573.00	श्री एन० बी० के० मूर्ति, निवेशक, भारतीय फिल्म और टेलीविजन भारतीय फिल्म और टेलीविजन संस्थान, पुणे-411004.	—	—तर्दीव—
18.	महिति चित्र संख्या 380	292.61	सहायक निवेशक, सूचना, गुजरात निवेशक, सूचना, गुजरात सरकार सरकार, रामनाथ लिमिटेड लेलोरेट्री लिमिटेड, 77 डा० एसी ब्रेसेट रोड, बर्सी, बम्बई-400018	—	समाचार तथा सामयिक घटनाओं की फिल्म गुजरात सर्किट में प्रदर्शन के लिए।
19.	चलाना चित्र नंबी बहुम- पुस्त्र प्रधानोत्तरवम	317.00	आंध्र प्रदेश राज्य फिल्म विकास नियम लिमिटेड, 11-5-423/1, जकर बाग, लकड़ी का पुल, हैदराबाद-4	—	डाकुमेंट्री फिल्म आंध्र प्रदेश सर्किट में प्रदर्शन के लिए।
		1982			

1	2	3	4	5	6
20	कलेक्टर	425.81	ठाठ पी० के० राजहम डी० डी० टेली- विजन फिल्म, आप हिंदी। विश्वजीत", अपार्टमेंट्स, १६-नेहरू रोड, मालाकूज पूर्व बम्बई-५९	आकुमेट्री फिल्म सामान्य प्रदर्शन के लिए।	
21.	कैन हिमाण्वेन्टी बी०एन०	305.00	श्री जी० प्रभाव, गोविन्द भवन, ब्रिटिश बला, विवेन्द्रम- 695036	--तथैव--	
22	उर्वश जहांस पानी	800.00	महानिदेशक, सूचना और जनसंपर्क फूट) महानिदेशालय, महाराष्ट्र सरकार, फिल्म सेटर, 68-मारदेव रोड बम्बई-३४	आकुमेट्री फिल्म महाराष्ट्र संकिट मे प्रदर्शन के लिए।	
23	मद्दरदार हींगिया०	114.00	श्री गुप्ता भिल, माफरी, हाजी चौक न० २, आर न० १६, जवाहर नगर, खार, बम्बई-५५	आकुमेट्री फिल्म सामान्य प्रदर्शन के लिए।	
24	स्टोरी आफए रेवोन्यूज़न	590.00	पी० आर० एस० पिल्ले, अछाय तथा प्रबधक निदेशक, कैनल राज्य फिल्म विकास निगम, काटनहिल, विवेन्द्रम- 14	--तथैव--	
25	योगा छन ओयोपीडिक डिस्ट्रीब्यू	230.40	अभिन कविता, शक्ति काज, सजय २. हिंदू कोपरेटिव हार्डिंग सोमा- यटी, ९५/ए, वामन बाडा, बम्बई-१४	आयोपीडिक विभाग, अस्तित भारतीय आयुष्मान सम्मान, यफदर्जग नई दिल्ली, १	--तथैव--
26	महिनि चित्र संख्या ३९१	266.70	महायक निदेशक, सूचना (फिल्म), गुजरात सरकार, रामनाथै रियर्स लेबोरेट्री लिमिटेड, ७७, डॉ एस० बेसेट रोड, बली, बम्बई-१८	निदेशक सूचना, गुजरात सरकार, ममाचार और सामयिक घटनाओं मन्दिरालय, गांधीनगर।	केवल गुजरात संकिट मे प्रदर्शन के लिए।
27	महाराष्ट्र समाचार संख्या ३८९	298.00	सूचना और जनसंपर्क महानिदेशालय, महाराष्ट्र सरकार, फिल्म सेटर, तारदेव रोड, बम्बई-३४	ममाचार और सामयिक घटनाओं की फिल्म। केवल महाराष्ट्र संकिट मे प्रदर्शन के लिए।	
28.	हायसला स्कूल्यूर आफ कन्ट्रिक्ट	289.00	मैवस कोमल प्रोडक्शन, ४/५४, फास्टे मैन रोड, टाटा सिल्क फार्म, बम- नसुडी, बगलौर-४	श्री टी० एम० वरसिम्हन एंड बी० बाकुमेट्री फिल्म। कन्ट्रिक्ट संकिट मे एम० सोमसुदर ४/५४, फार्ट मैन रोड, टाटा मिल्क फार्म, बामाबन- गुडी, बगलौर-४	बम्बई फिल्म। कन्ट्रिक्ट संकिट मे प्रदर्शन के लिए।
29	आलूक्यन आर्टिक्यूलर आफ कन्ट्रिक्ट	219.00	--तथैव--	--तथैव--	--तथैव--
30	उत्तर प्रदेश समाचार संख्या १०७	282.00	श्री बी० प्रभाकार, मी० २६, फलेवर कवीन निदेश, सूचना, और सत्संपर्क उत्तर बीरदेवी रोड, अधौरी, बम्बई-५०	ममाचार और सामयिक घटनाओं की फिल्म। उत्तर प्रदेश संकिट मे प्रदर्शन के लिए।	
31	कैरल बेल्य आफ मार्थे ईस्ट	111.74	नियो सिने प्रोडक्शन, जयजो, लम्बनीग शिलालय।	श्री रिण रेप्सग जयजो, लम्बनीग, आकुमेट्री फिल्म उत्तर पूर्व गाझ प्रदर्शन के लिए।	
32	गोदावरी बैरेज	381.10	श्री एस० आर० चत्तम, ८-१३३, गड्ढे अमेरम, हैदराबाद-३६	आकुमेट्री फिल्मे १ आंश्र प्रदेश संकिट मे प्रदर्शन के लिए।	
33	असीगढ़ मुस्लिम विश्व- विद्यालय	357.00	फिल्म प्रभाग, २४-पैडर रोड, बम्बई- ४०००२६	आकुमेट्री फिल्म। सामान्य प्रदर्शन के के लिए।	
34	महिलि चित्र संख्या ३९२	298.70	महायक निदेशक, सूचना (फिल्म), गुजरात सरकार, रामनाथै रियर्स लेबोरेट्री लिमिटेड, ७७, डॉ एस० बेसेट रोड, बर्ली, बम्बई-२६	मिदेशक, सूचना, गुजरात सरकार, संजि- ममाचार और सामयिक घटनाओं की वालय, बलाक-७, गांधी नगर-१०	फिल्म गुजरात संकिट मे प्रदर्शन के लिए।
35	बार्ता सरगिनी संख्या ४०	296.00	आध्र देश राज्य फिल्म विकास निगम लिमिटेड, ११-५-४२३/१, जफरबाग नकड़ी का पूल, हैदराबाद-३००००४	ममाचार और सामयिक घटनाओं की फिल्म आध्र प्रदेश संकिट मे प्रदर्शन के लिए।	
36	बार्ता तरगिनी संख्या ४१	256.50	-तथैव-	-तथैव-	

[फाईल संख्या ३१५ / ३ / ८३-एफ (पी)]

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 26th June, 1984

ORDER

S.O. 2578.—In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No S.O. 3792 dated 2nd December, 1961, the Central Government after considering recommendations of the Film Advisory Board, Bombay hereby approve the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be of the description specified against it/each in column 6 of the said schedule.

SCHEDULE

S.No.	Title of the film	Length of the film in metres	Name of the applicant	Name of the producer	Brief synopsis whether a scientific film educational purposes or a film dealing with news & current events or documentary film
1	2	3	4	5	6
1. Veer Savarkar		599.00	Films Division, 24-Peddar Road Bombay-400026. -do-	Shri S.G. Khirwadkar Dy. Director Information & Publicity, Govt. of Madhya Pradesh, Bhopal. Asstt. Director of Information Govt. of Gujarat Ramnord Research Laboratory Ltd, 77, Dr Annie Besant Road Worli, Bombay-18	'Documentary' General release -do-
2. Point 19		526.00		Shri Sudeep Banerjee, Director, Information & Publicity Govt. of Madhya Pradesh Bhopal.	'Documentary'
3. Bin Pani Sab Soon		269.13		Director of Information Govt. of Gujarat, Sachivalaya, Gandhi Ngr.	Release in M.P. circuit.
4. Mahitchitra No. 389		298.70		Director of Information Govt. of Gujarat, Sachivalaya, Gandhi Ngr.	News and Current Events (Release in Gujarat circuits)
5. Help Yourself		276.45	Wasil-Ul Haque C/o Golden Equipments Garage No. 10, Nutan Ngr. Turner Road, Bandra(W) Bombay-50.		'Documentary' General release.
6. Public Provident Fund		304.80	Smt. Dwarka Deo ASHRAYA" 450 Gokhle Road, Pune-4111016		-do-
7. Vardaan		563.88	S.R. Saaz. Prop : AMMA- Movie Makers Association 4/5, Kazi Blocks 291, S.V. Road, Bandra, Bombay-400050.		'Documentary' for release in urban and rural areas
8. A Race With Death (Cartoon)		230.124	Films Division, 24 Peddar Road, Bombay-26.		'Documentary' General Release
9. Exploration Antarctica		583.00	-do-	Director of Information Govt. of Gujarat Sachivalaya, Gandhinagar	-do-
10. Folk Fair Tarnetar		470.92	Asstt. Director of Information Govt. of Gujarat Ramnord Research Laboratory Ltd. 77, Dr. Annie Besant Road Worli, Bombay-18.		'Documentary' Release in Gujarat circuit.
11. Maharashtra News No. 388		274.00	Directorate General of Information and Public Relations, Govt. of Maharashtra Film Center, 68-Tardeo Road, Bombay-34.		'News and Current Event' Release in Maharashtra circuit.

1	2	3	4	5	6
12.	Varta Tarangini No. 39	285.00	Andhra Pradesh State Film Development Corporation Ltd. 11-5-423/1, Zafarbagh, Lakdi-ka-pool, Hyderabad.	'News and Current Events' Release in Andhra Pradesh circuit.	
13.	I.U.D.—Copper-T	68.00	Films Division, 24-Peddar Road, Bombay-400026.	'Documentary' General release.	
14.	Fertilizer, Fertilizer, Fertilizer.	321.00	-do-	-do-	
15.	We have to reach them.	229.00	Ranen Chatterjee C/10/1 Jeevan Bimanagar Borivilli, Bombay-400103	-do-	
16.	Nehru In Remembrance.	549.00	Films Division, 24-Peddar Road, Bombay-26.	-do-	
17.	Alipit	573.00	Shri N.V.K. Murthy, Director, Film and TV Institute of India, Pune 411004.	Film and TV Institute of India, Pune 411004.	-do-
18.	Mahiti Chitra No. 390	292.61	Asstt. Director of Information, Govt. of Gujarat Rammord Research Laboratory Ltd. 77, Dr. Annie Besant Road, Worli, Bombay-400018.	Director of Information Govt. of Gujarat Sachivalaya, Gandhinagar.	'News and Current Events' Release in Gujarat circuit.
19.	Chalanachitra Nandi Bahumathula Pradhanaotsavam-1982.	317.00	Andhra Pradesh State Film Development Corporation Ltd. 11-5-423/1, Zafarbagh, Lakdi-Ka-pool, Hyderabad-4.		'Documentary for release in Andhra Pradesh circuit only'
20.	Kalank	425.81	Dr. P.K. Rajhans, DD Television Films of India 'Vishwajit' Apts., 35 Nehru Road, Santacruz East, Bombay-55.		'Documentary' General release.
21.	Can Disability Be An Offence	305.00	Shri G. Prasad Govinda Bhavan, Valiya Chala, Trivandrum-695036.	-do-	
22.	Udand Jahale Pance	800.00 (ft)	Directorate General of Information and Public Relations, Govt. of Maharashtra, Film Center, 68, Tardeo Road, Bombay-34.		'Documentary' for Release in Maharashtra circuit only.
23.	Khabardar Hoshyar	114.00	Shri Gulab Singh C/o. Haji Chawl No. 2 R.No. 16, Jawahar Ngr. Khar, Bombay-55.		'Documentary' for General release.

1	2	3	4	5	6
24	Story of A Revolution	590 00	P R.S Pillay, Chairman and Managing Director, Kerala State Film Development Corporation, Cotton Hill, Trivandrum-14		'Documentary' for General Release
25	Yoga in Orthopaedic Disorders	230 40	Anil Kavish, Shakti Kaza Sangam,2, Heather Cooperative Housing Society, 93/A, Bamanwada, Bombay-99	Dept of orthopaedic All India Institute of Medical Sciences, Safdarjung, New Delhi	-do-
26	Mahiti Chitra No 391	266 70	Astt Director of Information (Films), Govt of Gujarat, Ramnord Research Laboratory Ltd., 77, Dr Annie Besant Road Worli, Bombay-18	Director of Information Govt of Gujarat, Sachivalaya, Gandhinagar	'News and Current Events' Release in Gujarat circuit only
27	Maharashtra News No 389	298 00	Directorate General of Information and Public Relations, Govt. of Maharashtra Film Center, Taldeo Road, Bombay-34		'News and Current Events' Release in Maharashtra circuit only
28	Hoysala Sculpture of Karnataka	289 00	M/s Komal Productions, 4/54, First Main Road, Tata Silk Farm, Basavangudi, Bangalore-4	Shri T S Narasimhan & B S Somasundar, 4/54, First Main Road, Tata Silk Farm Basavangudi, Bangalore-4	'Documentary' Release in Karnataka
29	Chalukyan Architecture of Karnataka	219 00	-do-	-do-	-do-
30	Uttar Pradesh Samachar No 107	282 00	Shri V Prabhakar C-62 Flower Queen Veera Desai Road, Andheri, Bombay-58	The Director of Information and Public Relations, Govt of Uttar Pradesh, Lucknow.	'News and Current Events' Release in U P circuit
31.	Cattle Wealth of North East	411 74	NZC Cine Production, Jaijaw, Langshing, Shillong.	Shri Rishiraj Roy, Jaijaw, Langshing, Shillong-2	'Documentary' Release in North East States
32	Godavari Barrage	381 10	Shri S.R Chandran, 6-153, Gadge Anneram, Hyderabad-36		'Documentary' Release in Andhra Pradesh circuit
33	Aligarh Muslim University	357 00	Films Division, 24-Peddar Road, Bombay-400026	-	'Documentary' General Release
34	Mahiti Chitra No 392	298 70	Astt Director of Information (Films) Govt of Gujarat, Ramnord Research Laboratory Ltd , 77, Dr Annie Besant Road, Worli, Bombay-26	Director of Information, Govt of Gujarat, Sachivalaya, Block 7, Gandhinagar-10	'News & Current Events' Release in Gujarat circuit.
35	Varta Tarangini No 40	296 00	Andhra Pradesh State Development Corporation Ltd, 11-5-423/1, Zafarbagh, Lakdi-ka-pool, Hyderabad-500004		'News and Current Events' Release in Andhra Pradesh circuit
36.	Varta Tarangini No 41.	256 50	-do-	-do-	

रेल मंत्रालय
(रेलवे बोर्ड)
नई दिल्ली, 25 जुलाई, 1984

धारा र मंत्रालय
(डाक तार बोर्ड)
नई दिल्ली, 17 जुलाई, 1984

का. आ 2579 —भारतीय रेल अधिनियम, 1890 (1890 का अधिनियम IX) के खण्ड 82-बी द्वारा प्रदत्त शक्तियों का उपयोग करते हुए, केन्द्रीय सरकार कलकत्ता उच्च न्यायालय के सेवानिवृत्त न्यायाधीश और ए के डे. का, जो इस समय 16-3-83 को पूर्व रेलवे पर हुई दुर्घटना से उत्पन्न दावों का निपटारा करने के लिए तदर्थ दावा आयुक्त के रूप में कार्यरत है, 21-5-84 का पूर्व रेलवे पर एस-31 सेक्षाफुली ई एम यू लोकल गाड़ी की हावड़ा स्टेशन की टी-65 तारकेश्वर लोकल गाड़ी के पिछले भाग के संथ हुई टक्कर के परिणामस्वरूप उत्पन्न सभी दावों पर कार्रवाई करने के लिए एतद्वारा दावा आयुक्त के रूप में नियुक्त करते हैं। उनका मुद्दालय ह बड़ा मे होगा।

[स 84/ई (ओ) II/1/3]

अजय जीहरी, सचिव, रेलवे बोर्ड एवं
भारत सरकार के पदेन सयुक्त सचिव

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 25th July, 1984

SO 2579—In exercise of the powers conferred by Section 82 B of the Indian Railways Act, 1890 (Act IX of 1890), the Central Government hereby appoints Shri A K De, retired Judge of the Calcutta High Court, presently working as Adhoc Claims Commissioner to settle claims arising out of accident on Eastern Railway on 16-3-83, as Claims Commissioner to deal with all the claims arising out of the collision of S 31 Sheoraphuli EMU local with the rear of T-65 Tarakeshwar local at Howrah Station of Eastern Railway on 21-5-84 His headquarters will be at Howrah

[No 84/E(O)II/1/3]

A JOHRI, Secy Railway Board and
ex-officio Jt Secy to the Government of India

का.ओ. 2580 —राष्ट्रपति केन्द्रीय सिविल सेवा (वर्गीकरण, नियन्त्रण और अपील) नियमावली 1965 के नियम-9 के उपनियम (2) और नियम 12 के उपनियम (2) के अनुच्छेद (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा यह आदेश देते हैं कि नियुक्त अनुशासन और अपील की शक्ति वरिष्ठ अधीक्षक/अधीक्षक डाकघरों को भारत सरकार सचार मञ्चालय (डाक तार विभाग) की तारीख 28-2-1957 की अधिसूचना सद्या का.ओ.नि.ओ. 620 जिसे समय समय पर सशोधित किया जाता रहा है, मे दी गयी है। उत्तर पूर्व सर्किल मे नागालैण्ड, मणिपुर और त्रिपुरा राज्यों और सघ शासित क्षेत्र अण्णाचल प्रदेश और मिजोरम के मामलों मे इन शक्तियों का प्रयोग नियोग, डाक सेवाए करें क्योंकि इन मामलों मे वरिष्ठ अधीक्षक/अधीक्षक डाकघर के पदों का वर्जा बढ़ा दिया गया है।

[स 12/7/82—सतर्कता-III]

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 17th July, 1984

S O 2580—In exercise of the powers conferred by sub-rule (2) of Rule 9, Clause (b) of Sub rule (2) of Rule 12 of the Central Civil Service (Classification, Control and Appeal) Rules, 1965, the President hereby orders that the powers of appointment, discipline and appeal which have been delegated to the Senior Superintendent Superintendent of Post Offices in the notification of the Government of India in the Ministry of Communications (Ports and Telegraphs) No SRO 620 dated the 28th February 1957 as amended from time to time, will be exercised by the Directors of Postal Services in the NF Circle for the States of Nagaland, Manipur and Tripura and Union Territories of Arunachal Pradesh and M zoram, as the earlier Posts of the Senior Superintendent/ Superintendent of Post Office in these Divisions have been upgraded.

[No 12/7/82 Vig III]

नई दिल्ली, 27 जुलाई, 1984

आदेश

का.ओ. 2581.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण), नियन्त्रण और अपील नियम, 1965 के नियम 34 के मात्र पठित, नियम 9 के उपनियम (2), नियम 12 के उपनियम (2) के खण्ड (ख) और नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के सचार मञ्चालय (डाक-तार) की अधिसूचना नि.ओ. 620, तारीख 28 फरवरी, 1957 का निम्नलिखित और सशोधन करते हैं इयोत—

उक्त अधिसूचना की अनुसूची मे

(क) भाग II—साधारण केन्द्रीय सेवा, समूह “ग” मे,
549 GI/84—5

“डाक भण्डार डिपो अधीक्षक का कार्यालय” शीर्षक और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात् :

1	2	3	4	5
“डाक स्टाम्प डिपो, अधीक्षक का कार्यालय				
कनिष्ठ सेवा अधिकारी	महा डाकपाल	महा डाकपाल	सभी	सदस्य
		डाक सेवा निदेशक	(1) से 4	डाक तार बोर्ड
निरीक्षक डाकघर	डाक सेवा निदेशक	डाक सेवा निदेशक	सभी	महा डाकपाल
उच्चतर या निम्नतर अध्यन श्रेणी कर्मचारी		स्टाम्प डिपो अधीक्षक	(1) से 4	डाक सेवा निदेशक
अन्य सभी पद	अधीक्षक	अधीक्षक	(1) से (4)	महा डाकपाल डाक सेवा निदेशक
			सभी	डाक सेवा निदेशक”;

(ख) भाग III—सामारण केन्द्रीय सेवा, समूह “ध” में,

“डाक भण्डार डिपो अधीक्षक का कार्यालय” शीर्षक और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित शीर्षक और प्रविष्टियां अन्तःस्थापित की जाएगी, अर्थात् :-

1	2	3	4	5
“सभी पद	अधीक्षक	अधीक्षक	सभी	डाक सेवा निदेशक”

[सं० 12/8/82-विज०-III]

ORDER
New Delhi, the 27th July, 1984

S.O. 2581.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 34 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the Ministry of Communication (Posts & Telegraphs) No. SRO 620, dated the 28th February, 1957, namely :—

In the Schedule to the said notification :—

(a) In Part II—General Central Service Group ‘C’ after the heading “Office of the Superintendent Postal Stores Depot”, and the entries thereunder, the following heading and entries shall be inserted namely :—

1	2	3	4	5
“Office of the Superintendent, Postal Stamp Depot.				
Junior Accounts Officer	Postmaster General	Postmaster General	All	Member, Posts and Tele- graphs Board.
		Director of Postal Services.	(i) to (iv)	Postmaster General.
Inspector Post Offices	Director of Postal Services.	Director of Postal Services.	All	Postmaster General.
		Superintendent, Stamp Depot.	(i) to (iv)	Director of Postal Services.
Staff in Higher or lower selection grade.	Director of Postal Services.	Director of Postal Services.	All	Postmaster General.
All other posts	Superintendent	Superintendent	All	Director of Postal Services”;

(b) In Part III—General Central Service, Group 'D'—after the heading "Office of the Superintendent, Postal Stores Depot" entries thereunder, the following heading and entries shall be inserted, namely :—

1	2	3	4	5
All Posts	Superintendent	Superintendent	All	Director of Postal Services
[No. 12/8/82-Vig. III]				

का०प्रा० 2582.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण) नियन्त्रण और अधील नियम, 1965 के नियम 34 के साथ पठित, नियम 9 के उपनियम (2), नियम 12 में उपनियम (2) के खण्ड (ख) और नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के संचार मंत्रालय (डाक और तार) की अधिसूचना सं० का०नि०श्रा० 620, तारीख 28 फरवरी, 1957 का और संशोधन करते हैं, अर्थात् :—

उक्त अधिसूचना की अनुसूची में, भाग II साधारण केन्द्रीय सेवा, समूह "ग" में शीर्षक के नीचे :—

(क) "टेलीग्राफ इंजीनियर मंडल और उपमंडल जिसमें तार संचार प्रशिक्षण केन्द्र भी है लाइन मैन, बायरमैन, लाइन रीडर, केवल ज्वाइंटर और सब-इंस्पेक्टर" से संबंधित प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियां अन्तःस्थापित की जाएंगी, अर्थात् :—

1	2	3	4	5
"तकनीकी	मंडल इंजीनियर मंडल इंजीनियर	समस्त	भारतीय दूरसंचार सेवा समूह "क" के कनिष्ठ प्रशासनिक श्रेणी के अधिकारी	
	टेलीग्राफ इंजीनियरी और बेतार सेवा समूह "ख" के अधिकारी उप मंडल इंजीनियर, सहायक मंडल इंजीनियर, कनिष्ठ इंजीनियर (ऐसा तकनीसियन जो राजपत्रित अधिकारी के मुख्यालय पर तैनात नहीं है की बाबत)	(i) से (iv)	टेलीग्राफ इंजीनियरी और बेतार सेवा समूह "ख" के अधिकारी उप मंडल इंजीनियर सहायक मंडल इंजीनियर	

(ख) "महाप्रबंधक, अनुरक्षण का कार्यालय और उसकी अधिकारिता के अधीन अन्य कार्यालय केवल ज्वाइंटर, रात्रि इंस्पेक्टर, लाइन मैन से संबंधित प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियां अन्तःस्थापित की जाएंगी, अर्थात् :—

1	2	3	4	5
"तकनीमियन	मंडल इंजीनियर/ श्रेत्रीय इंजीनियर/ अनुरक्षण/ अनुरक्षण/ श्रेत्रीय यातायात अधीक्षक/ श्रेत्रीय नियंत्रक श्रेत्रीय यातायात टेलीग्राफ यातायात	समस्त	भारतीय दूरसंचार सेवा समूह "क" के कनिष्ठ प्रशासनिक सेवा श्रेणी का अधिकारी	
	टेलीग्राफ इंजीनियरी सेवा समूह "ख" का अधिकारी टेलीग्राफ यातायात सेवा समूह "ख" का अधिकारी	(i) से (iv)	मंडल इंजीनियर/ श्रेत्रीय इंजीनियर अनुरक्षण/ श्रेत्रीय यातायात अधीक्षक/ श्रेत्रीय नियंत्रक टेलीग्राफ यातायात	

3	4	5
कनिष्ठ इंजीनियर (ऐसा तकनीसिजन जो राजपत्रित अधिकारी के मुख्यालय पर तैनात नहीं है को बाबत)	(i) से (iv)	टेलीग्राफ इंजीनियर इंजीनियरों सेवा का अधिकारी समूह “ख” टेलीग्राफ यातायात सेवा समूह “ख” का अधिकारी

[सं० 154-2/81-सतर्कता-III]
कॉकॉ प्रराइ, सहायक महानिदेशक (विज० बी०)

S.O. 2532.—In exercise of the powers conferred by Sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12, and sub-rule (1) of rule 21, read with rule 34, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the Ministry of Communications (Posts and Telegraphs) No. S.R.O. 620, dated the 23rd February, 1957, namely:—

In the schedule to the said notification, in Part-II-General Central Service, Group ‘C’, under the heading :—

(a) “Telegraph Engineering Divisions and Sub-Divisions including Telecommunication Training Centre” after the entries relating to “Lineman, Wireman, Line Rider, Cable Jointer, and Sub-Inspector”, the following entries shall be inserted, namely :—

1	2	3	4	5
“Technicians	Divisional Engineer	Divisional Engineer	All	Officer of the Junior Administrative Grade of the Indian Telecommunications Service Group ‘A’.
		Officer of the Telegraph Engineering and Wireless Service Group ‘B’ Deputy Divisional Engineer, Assistant Divisional Engineer.	(i) to (iv)	Divisional Engineer.
		Junior Engineer (in respect of a technician not stationed at the Headquarters of a Gazetted Officer).	(i) to (iv)	Officer of the Telegraph Engineering and Wireless Service Group ‘B’ Deputy Divisional Engineer; Assistant Divisional Engineer.”

(b) “Office of the General Manager, Maintenance and other offices under his jurisdiction”, after the entries relating to “Cable Jointer, Sub-Inspector, Lineman”, the following entries shall be inserted, namely :—

1	2	3	4	5
“Technician	Divisional Engineer/Regional Engineer Maintenance/Regional Traffic Superintendent/Regional Controller Telegraph Traffic.	Divisional Engineer/Regional Engineer Maintenance/Regional Traffic Superintendent/Regional Controller Telegraph Traffic.	All	Officer of the Junior Administrative Grade of the Indian Telecommunications Service Group ‘A’.
		Officer of the Telegraph Engineering Service Group ‘B’/Officer of Telegraph Traffic Service Group ‘B’.	(i) to (iv)	Divisional Engineer/Regional Engineer Maintenance/Regional Traffic Superintendent/Regional Controller Telegraph Traffic.
		Junior Engineer (in respect of a technician not stationed at the Headquarters of a Gazetted Officer).	(i) to (iv)	Officer of Telegraph Engineering Service Group ‘B’/Officer of Telegraph Traffic Service Group ‘B’.

अमं और पुनर्वास भवालय

अमं विभाग

अमंसूचना

नई दिल्ली, 17 जुलाई, 1984

का० आ० 2583.—केन्द्रीय सरकार को यह प्रतीत होता है कि मर्सी मशीनोफेंटिक (इन्डिया), शैलेन्द्र नाथ पाल रोड, गिरजातोला, नार्थ नावदापारा, कलकत्ता-57, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुमंडल्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती।

[सं० एस-35017(32)/84-पी० एफ० 2]

MINISTRY OF LABOUR AND REHABILITATION
(Department of Labour)
NOTIFICATION

New Delhi, the 17th July, 1984

S.O. 2583.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Machinofabrik (India), Suri Dist. Birbhum (2) Berhampore, Dist. Murshidabad (3) Malali Dist. Malda (4) Raiganj, Dist. West Dinajpore, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(32)/84-P.F. II]

का० आ० 2584.—केन्द्रीय सरकार को यह प्रतीत होता है कि मर्सी तिरुपति बाबा जी इंडस्ट्रीज, पी. 280/6, बनारस रोड, हावड़ा, बैस्ट बंगाल प्रदेश पी-4 हावड़ा बिज एपरोच रोड, कलकत्ता-700001 स्थित कार्यालय सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुमंडल्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती।

[सं० एस-35017(33)/84-पी० एफ० 2]

S.O. 2584.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Tirupathi Balaji Industries P-280/6, Banaras Road, Howrah, West Bengal including its office at P-4, Howrah Bridge, Approach Road, Calcutta-700001, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(33)/84-P.F. II]

का० आ० 2585.—केन्द्रीय सरकार को यह प्रतीत होता है कि मर्सी बैस्ट बंगाल स्टेट सीड कारपोरेशन लिमिटेड, 4 गंगाधरखाड़ नेतृ पांचवी मंजिल कलकत्ता-700012, भवनी (1) मुरी-डिस्ट्रिक्ट बिरभूम (2) खेरामिपुर डिस्ट्रिक्ट मुरशीदाबाद (3) मलाल डिस्ट्रिक्ट मालदा (4) राझगुज़े-डिस्ट्रिक्ट बैस्ट बिनाजपोर स्थित चारों शास्त्राओं सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुमंडल्या इस बात पर महमत हो

गई कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय गृह राज्य प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती।

[सं० एस-35017(34)/84-पी० एफ० 2]

S.O. 2585.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs West Bengal State Seed Corporation Limited, 4, Gangadhar Babu Lane (5th Floor) Calcutta-700012 including its branches at (1) Suri Dist. Birbhum (2) Berhampore, Dist. Murshidabad (3) Malali Dist. Malda (4) Raiganj, Dist. West Dinajpore, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(34)/84-P.F. II]

का० आ० 2586.—केन्द्रीय सरकार को यह प्रतीत होता है कि मर्सी दी बेस्ट बंगाल ट्राईबल सीवलोपमेंट कोऑपरेटिव कारपोरेशन लि०, मुर्या हाउस" (सेक्टर फलोर), १ रबिन्द्रा सारानी, कलकत्ता-73 भवने बन्करा, भाटगाम, पलिलिया और माल बाजार स्थित, क्षेत्रीय कार्यालयों तथा मालदा स्थित शास्त्रासहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुमंडल्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती।

[सं० एस-35017(35)/84-पी० एफ० 2]

S.O. 2586.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs The West Bengal Tribal Development Cooperative Corporation Ltd, Suraya House, (2nd Floor), 9, Rabindra Sarani Calcutta-73 including its Regional Offices at (1) Bankura (2) Jhargram (3) Purulia (4) Malbazar and branch office at Malda, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(35)/84-P.F. II]

का० आ० 2587.—केन्द्रीय सरकार को यह प्रतीत होता है कि मर्सी नार्थ बंगाल कोलोमाइट लि०, 28-बी, शेकमपियर सारानी, कलकत्ता 700017 भवने भलिपुरद्दार कोट, जि० जलपाइगुड़ी स्थित कार्यालय तथा पोस्ट ऑफिस जयमती, जि० जलपाइगुड़ी बैस्ट बंगाल स्थित प्रोजेक्ट एकार्यालय सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुमंडल्या इस बात पर महमत हो गई है कि कर्मचारी भविष्य निधि

श्री अधिकारी उपर्युक्त अधिनियम, 1952 (1952 का 19) के उपर्युक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) प्रवर्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपर्युक्त स्थापन को लागू करती है।

[सं. एस- 35017(36)/84-पी एफ-2]

S.O. 2587.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs North Bengal Dolomite Limited, 28B, Shakespere Surani, Neelambar, Calcutta-700 017 including its Registered Office at Alipur Dual Court, District Jalpaiguri and Project Office at Post Office Jainti, District Jalpaiguri (West Bengal), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(36)/84-PF. II]

का. आ. 2588—केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स चंद्रा मैचिनिकल इंडस्ट्रीज (प्रा०) लि., पी- 737, धारा-ए, बेक टाउन, कलकत्ता-89 अपनी पी. औ० भारा० गोपाल पर, जि. 24-गणनारा (बैस्ट बंगाल) स्थित 'फैक्ट्री १' मैलिन न मक स्थापन के सम्बद्ध नियोजक श्रीर कर्मचारियों की व्युत्पत्त्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निविश श्रीर प्रकारी उपर्युक्त अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

[सं. एस- 35017 (37)/84-पी एफ-2]

S.O. 2588.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Chandra Mechanical Industries (P) Ltd, P-737, Bloc-'A', Lake Town, Calcutta-89 including its factory at Narayanpur P. O. R. Gopalpur, District 24 Parganas, West Bengal, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(37)/84-PF. II]

का. आ. 2589—केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स श्री कारी विश्वनाथ सेका मैमिनि, समिति भवन, 42 बुरोला स्ट्रीट, कलकत्ता 700007, नामक स्थापन के सम्बद्ध नियोजक श्रीर कर्मचारियों की व्युत्पत्त्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निविश श्रीर प्रकारी उपर्युक्त अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

[सं. एस- 35017 (38) /84-पी एफ-2]

S.O. 2589.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shree Kashi Vishwanath Seva Samiti, Samiti Bhawan, 42, Burialla Street, Calcutta 7.0007, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(38)/84-PF. II]

का. आ. 2590—केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स न्यू इंडिया मैटल वर्क्स, 228/1, ग्राउंड फ्लॉर, घुसरी, हावड़ा (बैस्ट बंगाल) अपने 23-A नेताजी सुभास रोड कमरा नं. 6, औरी मैलिन कलकत्ता-700001, स्थित कार्यालय सहित नामक स्थापन के सम्बद्ध नियोजक श्रीर कर्मचारियों की व्युत्पत्त्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निविश श्रीर प्रकारी उपर्युक्त अधिनियम 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

[सं. एस- 35017 (39)/84-पी एफ-2]

S.O. 2590.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs New India Metal Works, 228/1, G and Trunk Road, Ghosur, Howrah (WB) including its Office at 23-A, Netaji Subhash Road, Room No. 6, 4th Floor, Calcutta 700 001, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(39)/84-PF. II]

का. आ. 2591—केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स 'लाटरस इंजिनीयरिंग बफर्स', पो. आ. माल, जि. जगपार्हगुडी (बैस्ट बंगाल) नामक स्थापन के सम्बद्ध नियोजक श्रीर कर्मचारियों की व्युत्पत्त्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निविश श्रीर प्रकारी उपर्युक्त अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

[सं. एस- 35017/50/84-पी एफ-2]

S.O. 2591—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Planters Engineering Works, Post Office Mal, District Jalpaiguri (West Bengal), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central

Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(50)-84 PF. II]

का. आ. 2592.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्से पानाफ्रिक इन्टरनेशनल, 91/92, रिजेंट चैम्बर्स, नारीमन प्लायांट, बम्बई-21, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अत नेत्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35017/(10)/84-पी. एफ.-2]

S.O. 2592.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Panafric International, 91-92, Regent Chambers, Nariman Point, Bombay-21, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018/(10)84-PF. II]

का. आ. 2593—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्से कोलकापट, 93, युनिवर्सल इंडस्ट्रीयल, इस्टेट, आई. बी. पेटेल रोड, गोरेगांव इस्ट, बम्बई-63 और कायानिय 2/23, वीना बीना मैटर, टुनर रोड, बांदगा वैन्ट, बम्बई-50, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अत नेत्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35018/(13)/84-पी. एफ.-2]

S.O. 2593.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Concraft, 33, Universal Industrial Estate, J. B. Patel Road, Coregaon East, Bombay-63 including its office at 2/23, Veena Beena Centre, Tuner Road, Bandra (West), Bombay-50, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35016/(13)/84-PF. II]

का. आ. 2594—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्से फारमा, 1, प्रभात नगर, जोगेश्वरी (वैस्ट) बम्बई-400102, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध

अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अत केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है;

[सं. एस-35018/(16)/84-पी. एफ.-2]

S.O. 2594.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ore Pharma, 1, Prabhat Nagar, Jogeshwari (West) Bombay-400 102, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018/(16)/84-PF. II]

का. आ. 2595—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्से जी. के. वायर इंडस्ट्रीज, 90, 93 वीरवानी इंडस्ट्रीयल इस्टेट, वैस्टम एक्सप्रेस हाईवे, प्रयोगिट, सीबा रिसर्च सैटर, गोरेगांव (वैस्ट), बम्बई-63, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अत केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35018/(17)/84-पी. एफ.-2]

S.O. 2595.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs G. K. Wire Industries, 90,93, Virwani Industrial Estate, Western Express High Way, Opp. CIBA, Goregaon (East), Bombay-63, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018/(17)/84-PF. II]

का. आ. 2596—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्से मुद्राला कल्पलेट्स प्रा. टि., मी-5, मेवावाला एपार्टमेंट, मी-5 मेरी रोड, विले पारले (वैस्ट) बम्बई-56, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इन बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अत केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35018/(18)/84-पी. एफ.-2]

S.O. 2596.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Muchhala Consultants Private Limited, C-5, Mewawala, Apartment, St. Mary Road, Vile Parle (W) Bombay 400 056, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018/(18)/84-PF.II]

का. आ. 2597.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री गणेश हमाल मजूर भाकारी संस्था नियोजन के अनुसार इसके सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस आठ पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए :

प्रत: केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

[सं. एम-35018/(19)/84-प्र. एफ.-2]

S.O. 2597.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shri Ganesh Hamal Mazdoor Sahakari Sanstha Ltd, Amalner-425401, Distt. Jalgaon (Maharashtra), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018/(19)/84-PF. II]

का. आ. 2598.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हम्फरा गार्जिए एंड इन्टरमिडिएट प्रा. नि., सी-आई-बी-89/19, बैंक आफ इन्डिया के पीछे, जी. प्राइवेट बैंक, वतवा, महाराष्ट्रा-45, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस आठ पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए,

प्रत: केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

[सं. एस-3519/(191)/84-प्र. एफ.-2]

S.O. 2598.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Infra Dyes and Intermediate, C-I-B-89/19, Behind Bank of India, G.I.D.C. Estate, Vatva, Ahmedabad-45, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(191)/84-PF. II]

का. आ. 2599.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अर्विन्स श्रीवरसीज प्रोजेक्ट सर्विसेज प्रा. लि., 611-पद्मा टावर-1, गोलेग्राम एस, नई इल्ली-110008, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस आठ पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए।

प्रत: केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

[सं. एस-35019(262)/84-प्र. एफ.-2]

S.O. 2599.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Arvind Overseas Project Services Private Limited, 611, Padma Tower-1, Rajendra Place, New Delhi-8, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/262/84-PF. II]

नई दिल्ली, 18 जूलाई, 1984

का. आ. 2600.—मैसर्स कॉर्पिट्रोनिक्स (प्राइवेट) लिमिटेड, प्लाट नं. 35, इसानपुर अहमदाबाद-382443 (गुजरात/12250), (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् अभिवाय या प्रीमियम का संवाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबन्ध बीमा स्कीम, 1970 (जिसे इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हे अनुज्ञेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम जी धारा 17 की उपधारा (2क) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए और इससे उपबन्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन हो तीन वर्ष की अवधि के लिए उक्त स्कीम के मध्ये उपबन्धों के प्रकरण से छूट देती है।

अनुसूची

1 उक्त स्थापन के सम्बन्ध में नियोजक पारेशिक भविष्य निधि आयुक्त गुजरात को ऐसी विवरणिया भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक. ऐसे निरीक्षण प्रभारों का प्रत्येक स्कॉर की समाप्ति के 15 दिन के भीहर संदाय करेगा जो केन्द्रीय मरकार, उक्त अधिनियम की धारा 17 की उग-धारा (3-क) के छन्द (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, सेवाओं का अन्तरण, निरीक्षण प्रभारों का संदय आदि भी है, होने वाले गारी व्ययों का वहां नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय मरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुमत्य की भाषा में उसकी मूल्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त कियी स्थापन की भविष्य निधि का पहले ही मूल्य है, उसके स्थान में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम उत्तर इच्छा करेगा और उसकी बाबत आदेश व प्रीमियम भारतीय जीवन बीमा नियम को संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में शम्भवित रूप से विनियोजित की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुग्रह हैं।

7. सामूहिक बीमा स्कीम में किसी बारे के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सदैय रकम उस रकम से अधिक है जो कर्मचारी को उस दशा में सदैय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वरेंग/नामनिर्देशिती को प्रतिकर के त्वं में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपलब्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयवत उजारा ते एवं अनुमोदन व विना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की चंभालगा हो, वहां प्रादेशिक भविष्य निधि आयवत, अपना अनुमोदन देने से पर्व कर्मचारियों को अपना दृष्टिकोण स्थाप्त करने का युक्तिहृदय अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा नियम नियत करें, प्रीमियम का संदाय करने में वसफल रहता है, और पातिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदर्भ में किए गए किसी व्यतिक्रम की दशा में, उन मूरा सदस्यों के नाम निर्दिष्टियों या विवेक वार्ताओं को जो, यदि वह छूट न दी गई होती तो उक्त स्वीकृति के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हृकदार नाम निर्दिष्टियों/विवेक वार्ताओं को बीमाकृत रकम का संदाय तारता से और प्रत्येक दशा में मध्ये पहले तो मृत्यु किए गए दावों के प्राप्त होने के एक माह के भीतर सुनिश्चित करेगा।

[सं. एस-35014/72/84-एफ.पी.जी.]

New Delhi, the 18th July, 1984

S.O. 2600.—Whereas Messrs, Canditronics (Private) Limited, Plot No. 35, Isanpur, Ahmedabad-382443 (GJ)12250) (hereinafter referred to as the said establishment) have applied for exemption under sub-section 2(A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India,

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employee under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S-35014(72)/84-FPG]

का.आ. 2601.—मैर्सर्स हाईके सार्विक इंडस्ट्रीज लिमिटेड, ६९८, बैचोपिंग क्षेत्र आ. वृथियाना-३ (एंजाव) (एंजाव/3595), (जिसे इसमें इच्छले पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकारण उपलब्ध अधिनियम, 1952 (1952 का 19) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का यमाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पथक अधिकाय आ प्रीमियम का संदाय किए विना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में कायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये कायदे उन कायदों से विविध अनुकूल हैं जो कर्मचारी नियोप सबद्ध बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुशेष हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शर्कितयों का प्रयोग करते हुए और इससे उपबन्ध अनुभवी में विविदिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को तीव्र वर्ष की व्यवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आयक्त पंजाब को ऐसी विवरणियां भेजेगा और ऐसे लेख रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे विवरण प्रभारी का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3-क) के संष्करण (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रमाण किया जाता, बीमा प्रीमियम का संचालन, लेखाओं का अन्तरण, निरीक्षण प्रभारी का संदाय आदि भी है, होने वाले सभी व्ययों का बहुत नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जेव कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की वहु-संख्या की धारा में उनकी मालूम बातों का अनुवाद, स्थापन के नृचंदा पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी नावत्र आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध कायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध कायदों में शमालित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध कायदे उन कायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन शनिये हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश रकम उस रकम से कम है जो कर्मचारी को उस दशा में संवेद्य होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विविध बारिस/नामनिवेशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. रामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त, पंजाब के पूर्व अनुमोदन के द्वितीय नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के द्वित पर प्रतिकूल प्रभाव पहने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को जाना वृत्तिकांप स्पष्ट करने का युवितयूक्त अवसर देगा।

9. यदि किसी नामदाश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले कायदे किसी रीत से कम हो जाते हैं, तो गह छूट रद्द की जा सकती है।

10. यदि किसी कारणबशा, नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यवस्त हो जाने दिए जाता है तो छूट ख़द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत गदस्यों के नामान्विदेशितियों वा विधिक वारिसों को जो यदि छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी गदम्य की मत्य होने पर भारतीय जीवन बीमा निगम उसके हकदार नाम-निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तप्तरता से और प्रत्येक दशा में सभी घट्टुओं में पूरे किए गए दावों के पास होने के भीतर गुनिश्चित करेगा।

[रु. एस-35014/71/84-एफ. पी. जी.]

S.O. 2601.—Whereas Messrs. Highway Cycle Industries Limited, 698, Industrial Area, B, Ludhiana-3 (Punjab) (PN 3595) (hereinafter referred to as the said establishment) have maintained, Punjab, and maintain such accounts and provide of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' deposit-linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Punjab, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. No employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Punjab and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S-35014(71)/84-FPG]

का. आ. 2602 :—भैरस रंगात्यामी एण्ड कम्पनी (कोयम्बत्तर), 37, मारगोरा रोड, माल्लेश्वरम, बंगलौर-3 (कर्नाटक/७२७०), (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भित्तिय निधि और प्रक्रीय उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उप-धारा (2-क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

उपर्युक्तीय मरकार का समाधान हो गया है कि उक्त स्थापन के अधिनारी, किसी पृथक अभियान या प्रीमियम का संदाय किए दिया है, भारतीय जीवन बीमा निगम की समर्हिक बीमा स्कीम के प्रतीक जीटन लीसों के रूप में पायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए थे पायदे जा पायदाओं से उधिक अनुकूल हैं जो कर्मचारी निष्पेष मद्दह बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्ट्रीट द्वारा गया है) के अधीन उन्हे अनुज्ञय है;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपायद्वारा अनुसूची में दिनिर्दिष्ट शर्तों के अधीन रहने हुए उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आयुक्त कर्ताक को ऐसी विवरणिश्च भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी रायधारें प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों द्वारा प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3-क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीग्राम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले रामी व्यष्टियों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मूल्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किया स्थापन की भविष्य निधि का पहले ही सदस्य है, उगके स्थापन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी वाक्त आवश्यक प्रीग्राम भारतीय जीवन बीमा नियम को संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे देते हैं तो, नियोजक आमूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से दृढ़ की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुशेष्य हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेश रकम से कम है जो कर्मचारी को उस दशा में संदेश होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विविध वारिस/नामनिदेशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रावेशिक भविष्य निधि आयुक्त, कर्ताक के पूर्व अनुमोदन के

बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के लिए पर ग्राहितकूल प्रशासन पड़ने की संभावना हो यहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अन्ना दृष्टिकोण स्पष्ट करने का प्रक्रियायुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं; तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा नियम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यपत छोड़ जाने दिया जाता है तो यह छूट रद्द की जा सकती है।

11. यदि नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यक्तिक्रम की दशा में, उन मृत सदस्यों के नामनिवैरेश्वितीयों या विधिक वारिसों को जो प्रदि यह छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरवाचिला नियोजक पर होगा।

12. इस स्वीकृति के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा नियम उसके हकदार नाम-निर्देशितियों/विविध वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में सभी पहलुओं में पूरे किए गए बावों के प्राप्त होने के एक माह के भीतर सुनिश्चित करेगा।

[सं. एस-35014/70/84-एफ. पी. जी.]

S.O. 2602.—Whereas Messrs, Kangaswamy and Company, (Coimbatore), 37, Margora Road, Malleswaram, Bangalore-3 (KN|6275) (hereinafter referred to as the said establishment) have applied for exemption under sub-section 2(A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) hereinafter referred to as the said Act;

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Karnataka, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premium, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Karnataka, and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominee or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S 35014(70)/84-FPG]

का. आ. 2603 :—मैर्सेस मुद्रा कम्पनिकोशन्स (प्राइवेट) लिमिटेड, मानिक्याम एपार्टमेंट्स मारदार एटेल नगर, इल्लर-ब्रूज़, अहमदाबाद-6 (गजरात/4147-ग), (जिसे हमके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपचार अधिनियम, 1952 (1952 का 19) (जिसे हमसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन लृप्त नियंत्रण के लिए आवेदन किया है;

और केंद्रीय सरकार का सम्बान्ध हो गया है कि उक्त स्थापन के कर्मचारी, वित्ती प्रथक अधिनियम या प्रीमियम का संदाय किए दिया है, भारतीय जीवन बीमा नियम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सबूद बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञय हैं;

अत केंद्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रवत्त दावितों का प्रयोग करते हुए और इसमें उपायद अनुसूची में दिनिर्दिष्ट शतों के अधीन रहते हुए उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों का प्रदर्शन से छूट देती है।

बन्सूसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि गायक, गुजरात को ऐसी त्रिवरणियां भर्जेगा और ऐसे लखा रखेगा तथा निरीक्षण के लिए ऐसी मूविधाएं प्रदान करेंगे जो केंद्रीय सरकार, समर्थ-समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों वा प्रत्येक भास की समाप्ति के 15 दिन के भीतर सदाय करेगा जो केंद्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3-क) के संषड़ (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का भक्षा जाना, विवरणियों का प्रस्ताव किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का संदाग आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केंद्रीय सरकार द्वारा अनुपोनिषत सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उसमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की गहर-संस्था की भाषा में उसकी मूल्य बातों का अन्वाच, स्थान के मूल्य पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन लृप्त प्राप्त किसी स्थापन की भविष्य निधि का एहत ही सदस्य है, उसके स्थापन में नियोजित किया जाना है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी वाक्य आधार्यक प्रीमियम भारतीय जीवन बीमा नियम को संक्षिप्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक गामीहक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में गमन्ति रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन होते हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मत्त्यु पर इस स्कीम के अधीन सन्देश रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेश होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के

विधिक वारिस/नाम-निर्देशिका को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. यामूहिक बीमा स्कीम के उपयन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त, गुजरात के पूर्व अनुमोदन के लिए नहीं किया जाएगा और जहाँ किसी संशोधन से कमचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहाँ, प्रादेशिक को अनन्य दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवमर वेगा।

9. यदि किसी कारणवश, स्थापन के कमचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना छुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियन्त्रित तारीख के अन्तर जो भारतीय जीवन बीमा निगम नियंत्रित करे, प्रीमियम का संदाय करने में असफल रहता है, तो और पालिसी को व्यापार नहीं जाने दिया जाता है क्योंकि छूट रद्द की जा नक्ती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की वज़ा में, उन मूल रावस्यों के नाम-निर्देशितियों पर विधिक वारिसों को जो यदि छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सबस्थ की मृत्यु होने पर भारतीय जीवन बीमा निगम उसके हकदार नाम-निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्प्रत्यक्ष से और प्रत्येक दशा में सभी पहलुओं में पूरे किए गए दावों के प्राप्त होने के एक माह के भीतर गुरुरित्यत करेगा।

[संख्या एस-35014/69/84-एफ. पी. जी.]

S.O. 2603.—Whereas Messrs. Mudra Communication (Private) Limited, Nanikyam Apartments Sardar Patel Nagar, Ellisbridge, Ahmedabad-6 (GJ) 4147-A (hereinafter referred to as the said establishment) have applied for exemption under sub-section 2A) of Section 17 of the Employees' Provident Fund & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat, maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payments of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India,

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employers of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibilities for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S-35014(69)/84-FPG]

नई दिल्ली, 20 जुलाई, 1984

का. आ. 2604.—उत्तर प्रदेश राज्य मरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री आदित्य कुमार रस्तोगी के स्थान पर श्री एस. डी. वागला, आयुक्त एवं सचिव उत्तर प्रदेश शासन अम विभाग, लखनऊ, को कर्मचारी राज्य बीमा नियम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है।

अब: अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत मरकार के अम मंत्रालय की अधिसूचना संख्या का. आ. 850 (प्र), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, “(राज्य सरकार द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)” शब्दों के नीचे मद 26 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

“श्री एम. डी. वागला,
आयुक्त एवं सचिव, उत्तर प्रदेश शासन,
अम विभाग, लखनऊ.”

[स. यू.-16012/1/81-एच आई.]

New Delhi, the 20th July, 1984

S.O. 2604.—Whereas the State Government of Uttar Pradesh has in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri S. D. Bagla, Commissioner-cum-Secretary to the Govt. of Uttar Pradesh to represent that state on the Employees' State Insurance Corporation, in place of Shri Aditya Kumar Rastogi;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. 850(E), dated the 21st October, 1980, namely:—

In the said notification, under the heading “(Nominated by the State Governments under clause (d) of section 4)”, for the entry against, Serial Number 26, the following entry shall be substituted, namely:—

“Shri S. D. Bagla
Commissioner-cum-Secretary to the Govt. of Uttar Pradesh,
Labour Department, Lucknow.

[No. U-16012/1/81-H.I.]

का. आ. 2605.—असम राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री यू. सी. मराणिया, के स्थान पर श्री प्रबीर मैत्र गुप्ता, आयुक्त एवं विभेद सचिव, असम मरकार अम और पुनर्वास विभाग, को कर्मचारी राज्य बीमा नियम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है;

अब: अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत मरकार के अम मंत्रालय की अधिसूचना संख्या का. आ. 850 (प्र), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, “(राज्य सरकार द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)” शब्दों के नीचे मद 9 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

“श्री प्रबीर मैत्र गुप्ता,

आयुक्त एवं विभेद राज्यिक,
असम मरकार, अम एवं पुनर्वास विभाग,
अम बान्द्र, दिमागुर.”

[स. यू.-16012/1/83-एच. आई.]

S.O. 2605.—Whereas the State Government of Assam has in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri Prabir Sen Gupta, Commissioner and Special Secretary to the Govt. of Assam, Labour and Employment Department to represent that State on the Employees' State Insurance Corporation, in place of Shri U. C. Sarania;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. 850(E) dated the 21st October, 1980, namely:—

In the said notification under the heading “(Nominated by the State Government under clause (d) of section 4)”, for the entry against Serial Number 9, the following entry shall be substituted, namely:—

“Shri Prabir Sen Gupta,
Commissioner and Special Secretary,
Government of Assam,
Labour and Employment Department,
Labour Branch, Dispur.”

[No. U-16012/1/83-H.I.]

नई दिल्ली, 18 जुलाई, 1984

का. आ. 2606.—कान्सोलिवेटेड पेनिमोटिक टूल कम्पनी (इंडिया) लिमिटेड, 301/302, एल. बी. एम. मार्ट, पी. बी. गम्बर 7761, मुलुण, बम्बई-8 (महाराष्ट्र/3780), (जिसे इसके पश्चात् उक्त स्थान कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पथक अभिभाव या प्रीमियम का संवाद किए जिन्होंने भारतीय जीवन बीमा रिगिम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रखे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निधि प्रदान सहबद्ध बीमा स्कीम 1978 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुशेष्य हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त विवितयों का प्रयोग करते हुए और इसमें उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थान को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों के प्रवर्तन से छूट देंगी है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रावेशिक भविष्य निधि आयुक्त महाराष्ट्र को ऐसी विवरणों भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी स्विधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समर्थ-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समीक्षा के 15 दिन के भीतर संवाद करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3-क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का सदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का संबाध आदि भी है, होने वाले भी सभी व्यायों का दृष्टव्य नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की यदुसंलग्न की शापा में उगकी मूल्य बातों का अनुवाद, स्थापन के सचिव पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन धृत प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उरके स्थापन में नियोजित किया जाना है तो, नियोजक, सामूहिक बीमा स्कीम के गवर्नर के रूप में उसका नाम तुरन्त दर्ज करेगा और उगकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा नियम को संदर्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक गामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में सम्चित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन बननेंगे हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेश होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी क विधिक वारिस/नामनिर्वाचिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपलब्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त, महाराष्ट्र के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के द्वितीय प्रतिक्रिया प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को जाना दृष्टिकोण स्पष्ट करने का योग्यतयाकृत अवभार देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रखद की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा नियम नियन्त करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्याप्त रहता है जाने दिया जाता है तो यह छूट रखद की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संबाध में किए गए किसी व्यापिकग की दशा में, उन मृत गदस्यों के नामनिर्देशितियों पर विशिक वारिसों को यदि यह छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा नियम उसके हकदार नामनिर्देशितियों/दिनिक वरिगों को बीमाकृत रकम का सबाय तत्परता से और प्रत्येक दशा में भी पहलुआ में पूरे किए गए दावों के प्राप्त होने के एक शाह के भीतर संनिश्चित करेगा।

[संख्या एस-35014/68/84-एफ.पी.जी.]

New Delhi, the 18th July, 1984

S.O. 2606.—Whereas Messrs. Consolidated Pneumatic Tool Company (India) Limited, 301/302, L.B.S. Marg, P.B. No. 7761, Mulund, Bombay-80 (MH/3780) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees, of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the SCHEDELE annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Maharashtra, maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and as and when amended, alongwith a translation of the salient features thereof in the language of the majority of the employees.

5. Whereas, an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said

Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Maharashtra and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason the employee fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S-35014(68)/84-P.F. G]

दरा. उ० 2607.—मैरेस्ट शाव थालनेम एण्ड कंपनी टिमिटेड, हिन्द रोड, किंडडेरेण, कलकत्ता (एशियन बंगला/1105) और इराकी शाराएँ, (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रक्रीय उद्देश्य अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी एथक अधिकार या प्रीमियम का संदाय किए विना ही, भारतीय जीवन बीमा नियम को सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2-क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और इससे उपबद्ध अनुभूमि में विनिर्दिष्ट इतरों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की उद्धिक के लिए उक्त स्कीम के सभी उपबन्धों के इवतन से छूट देती है।

अन्तस्थी

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आश्रव, एशियन बंगला दो ऐसी विवरणियां भेजेगा और ऐसे लेहा रहेंगे तथा निरीक्षण के लिए ऐसी गविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, ग्रम्य-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार,

उक्त अधिनियम की धारा 17 के उप-धारा (3-क) के खण्ड (क) के अधीन समाय-समय पर निर्दिष्ट करे।

3. सामूहिक नीमा स्कीम के प्रशासन से जिसके उन्तर्गत लेखाओं का रुपाना विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण निरीक्षण प्रभारों संदाय आदि भी हैं, हाने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा थन्सोदिन सामूहिक बीमा स्कीम के नियमों की एक इति, और जब वही उनमें संशोधन किया जाए, तब उग संशोधन की परीत तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मूल्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थान की भविष्य निधि का पहले ही सदस्य है, उसके स्थान में नियोजित विधि जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तरन्त दर्ज करेगा और उसकी वावत आवश्यक प्रीमियम भारतीय जीवन बीमा नियम को संतुष्ट करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध पाए दे नहाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में सम्बन्धित रूप से विधि की जाने की वावस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुकूल हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश रकम उस रकम से दस है, जो कर्मचारी को उस दशा में संदेश होती, जब उन उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के डिविड, पारिस्थ/नाम-निर्देशिती को प्राप्त कर के रूप में दोनों रकमों के अन्तर के तंत्र रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उत्तरधों से कोई भी संशोधन, प्रादेशिक भविष्य निधि वारदात प्रिवेट बंगल के एवं अन्योदय के लिए नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की सम्भावना हो, वहां प्रादेशिक भविष्य भविष्य आश्रव, उपना अनुमोदन देने से पूर्व कर्मचारियों को उपना दृष्टिकोण म्पष्ट करने का यक्तियुक्त अवमर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उम सामूहिक बीमा स्कीम के, जिसे स्थापना दृढ़ते उपना चक्र के अधीन होती रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को शाम्ल होने वाले फायदे किसी रीति से कम हो जाने हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा नियम नियत करें, प्रीमियम का सदाय करने में असफल रहता है, और पालिसी को घायल हो जाने दिया जाता है, तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यनिक्रम द्वीप दशा में उन मृत सदस्यों के नाम-निर्देशितीयों

या विधिक वारिसों को जो अदि यह छूट न दी गई होती तो उक्त रकीम के अन्तर्गत होते, बीमा फागदों के संसाग का उत्तर-दायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य को मृत्यु होने पर भारतीय जीवन बीमा निगम उसके हकदार नामनिवेशनियों/विधिक वारिसों को बीमाकृत रद्दम का सदाय तत्परता से और ग्रत्येक दशा में सभी पहलुओं में पूरे किए यादों के प्राप्त होने के एक साह के भीतर स्थिरित करेगा।

[खस्ता एम्स-35014/67/84-एफ.पी.जी.]

S.O. 2607.—Whereas Messrs, Shaw Wallace & Company Limited, Hind Road, Kidderpore, Calcutta (WB,1105) and its branches, (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, West Bengal, maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of account, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas employee who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to

the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, West Bengal and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where for any reason, the employer fails to pay the premium etc. within the due date as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No S-35014/67/14-EPG]

दर्श २०० — ईर्ष्या दाता वा इंजीनियरिंग कार्पोरेशन फ़िल्टर, पालामुद हड्डम, अन्ना सलाही, मद्रास-600002 /रियल एर्ट/०१७१, (जिसे दाता इण्डियन इंजीनियरिंग और प्रक्रीण उद्योग इंडिया, १९५२ /१९५२-१९५३/ जिसे हड्डम इसके पश्चात उक्त एर्ट, फ़िल्टर, एर्ट, एर्ट-१७-१८ उपधारा (२८) के अधीन दिए जाने दें लिया आवेदन किया है :

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पथक अभिदान या ग्रीष्मियम का संदाय किए दिया ही, भारतीय जीवन बीमा निगम का सामिल बीमा स्कीम के अधीन जीवन बीमा के रूप में पायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फागदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप स्थबद्ध बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात उक्त स्कीम कहा गया है) के अधीन उन्हें अनुदाय हैं ;

अंतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (२-क) द्वारा प्रदत्त शक्तियों का योग करते हुए, और इससे उपाबद्ध अन्नस्त्री में विनिर्दिष्ट शतों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अनुधि दे लिए उक्त स्कीम के सभी उपान्धों हे उत्तरांग से छूट देती है ।

अन्नस्त्री

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रावेशिक भविष्य निर्धारण आयोजन, तमिलनाडु के एवं निवारणीया भेजेगा और

ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, गमध-रमय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का ग्रन्थके माग की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उग-शारा (3-क) के खण्ड (क) के अधीन समान-ममय पर निर्दिष्ट करे।

3. गमूहिक बीमा स्कीम के प्रदानन में, जिसके अन्तर्गत लेर ५०० रु. ताजा निराण्डों का प्रस्तुत दिया जाना, बीमा प्रीमियम का संचार, लेखाओं का अन्तरण निरीक्षण प्रभारों संदाय आदि भी है, होने वाले सभी व्याप्तियों का बहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा शम्भोदित सामूहिक बीमा स्कीम दे गियाएं की एक इति, और उबली उगमों संशोधन किया जाए, ताजा उग संशोधन की पति तथा कर्मचारियों की बहुसंख्या की भाग में उसकी मूल बातों का उन्नवाद, स्थान क सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उदात् अधिनियम के अधीन छूट दाता किसी रथान की नियाइ निराणी का पहले ही गदस्य है, उसके स्थान में नियोजित किया जाता है तो, नियोजक, गमूहिक बीमा स्कीम के सदस्य के रूप में उगका नाम तुरन्त दर्ज करेगा और उगकी नावत् अवश्यक प्रीमियम भारतीय जीवन बीमा नियम को मंदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे द्वारे दद्दाए जाते हैं तो, नियोजक गमूहिक बीमा स्कीम के अधीन कर्मचारियों दो उगलब्ध फायदों में सम्बन्धित रूप में बद्धि की जाने की वादाम्भ करेगा जिससे कि कर्मचारियों के लिए गमूहिक बीमा स्कीम के अधीन उगलब्ध फायदे उन फायदों से अधिक उन्नज्ञूल हों, जो उक्त स्कीम के अधीन उन्नज्ञूल हैं।

7. गमूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि शिर्मी अम्भारा की भूत्यु दर इस स्कीम के अधीन सन्देश रकम उपर रकम से कम है जो कर्मचारी को उस दशा में मंदेय होती, ताजा वह उदात् स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिम/नामनिर्देशिती को प्रतिकर के रूप में दोनों रूपों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपलब्धों में कोई भी संशोधन, प्रादेशिक, भागिष्ठ नियोजित, तमिलनाडु के पूर्व दनमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो तहाँ, प्रादेशिक भागिष्ठ नियोजित जावता, जपना अन्मोदन देने से पूर्व कर्मचारीयों को उन्नाना दृष्टिकोण स्पष्ट करने का उचित्यका अवसर देगा।

9. यदि किसी कारणाश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उम पामूहिक बीमा स्कीम के, जिसे स्थापन पहले जाना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम दो अधीन कर्मचारियों को प्राप्त होने वाले फायदे विधिरीति में दम हो पाते हैं; तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणाश, नियोजक उस नियम नारीख के भीतर जो भारतीय जीवन बीमा नियम नियत करे, प्रीमियम

का संदाय करने में आफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी उत्तरांश की दशा में, उन मूल नदस्यों के नामनिर्देशितियों जा विधिक वारिसों को जो प्रदि यह छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरांश नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा नियम उसके हकदार नामनिर्देशितियों/विधिक वारिसों को बीमाकूल रकम का संदाय तपरता से और प्रत्यक्ष दशा में सभी पहलुआ मात्रे किए गए दावों के प्राप्त होने के एक माह के भीतर निश्चित करेगा।

[सुखा एस-35014/65/84-एफ.पी.जी.]

S.O. 2618.—Whereas Messrs, Pallavan Engineering Corporation Limited, Pallavan House, Anna Salai, Madras-600002 (TN/9375) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) or Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3 All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of account's, payment of inspection charges etc. shall be borne by the employer.

4 The employer shall display on the Notice Board of the establishment, a copy of the Group Insurance Scheme as approved by the Central Government and, as and when needed, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Funds or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to affect adversely the interest of employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the member covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S. 35614(65)/84-PF. II]

नई दिल्ली, 21 जूनाई, 1984

का०आ० 260७.—‘केन्द्रीय सरकार’, कर्मचारी कुटुम्ब पेशन स्कीम, 1971 के पैग 28 के अनुसरण में, यह निवेद्य होती है कि 1 अप्रैल, 1982 से पहले यथा विभाग कुटुम्ब पेशन में अनुप्रकृति दीदिया नीये विनियोग दरों पर 1 अप्रैल, 1984 से दी जाएंगी।

- (1) 100 रुपये प्रतिमास तक आधारिक 3 रु० (केवल नीत रूपए) सामान्य पेशन,
- (2) 101 रुपये से 150 रुपये प्रति मास 4 रु० (केवल चार रुपये) तक आधारिक सामान्य पेशन
- (3) 151 रुपये से 200 रुपये प्रति मास 6 रु० (केवल छँ रुपया) तक आधारिक सामान्य पेशन
- (4) 201 रुपये से 250 रुपये प्रति मास 8 रु० (केवल आठ रुपया) तक आधारिक सामान्य पेशन,
- (5) 251 रुए प्रति मास और उपरे अधिक 10 रु० (केवल दस रुपये) 10 आधारिक सामान्य पेशन

2. अनुप्रकृति दीदिया की दरे ऐसी कुटुम्ब पेशन से संबंधित होंगी जो कर्मचारी कुटुम्ब पेशन स्कीम, 1971 के पैग 28(1) के नियन्त्रणों के अनुसार संवैय शोंगी और उसके पैग 28(2) के अधीन अस्थायी उच्चतर पेशन, यदि कोई हो, गे संबंधित नहीं होगी।

3. उपरोक्त अनुप्रकृति दीदिया पेशन से संबंधित होंगी जो भारत सरकार के अम और प्रत्यार्पण मन्त्रालय की अधिसूचना संख्या का०आ० 1351, तारीख 16 फरवरी 1983 द्वारा पहली अप्रैल, 1982 से बढ़ाई गई थी।

4. उपरोक्त अनुप्रकृति दीदिया के अनिवार्य होंगी जो कुटुम्ब पेशन भागियों को नारी० 5-3-1983 के का०आ० संख्या 1611 के द्वारा 1-1-1982 का द्रवा की गई थी।

[सू. आर० 11025/2/84-एफ०पी०जी०]

New Delhi, the 21st July, 1984

S.O.260७.—In pursuance of para 78A of the Employees' Family Pension Scheme, 1971, the Central Government hereby directs that supplementary addition to the family pension as existing before the 1st April, 1983 shall be granted commencing from the first day of April, 1984 at the rates specified below:—

- (i) Basic normal pension Rs. 3 (Rupees three only) upto Rs. 100/- per month
- (ii) Basic normal pension Rs. 4 (Rupees four only) Rs. 101/- to Rs. 150 per month.
- (iii) Basic normal pension Rs. 6 (Rupees Six only) R. 151/- to R. 200/ per month.
- (iv) Basic normal pension Rs. 8 (Rupees eight only) Rs. 201/- to 250/- per month.
- (v) Basic normal pension Rs. 10 (Rupees ten only) Rs. 251/- to and above per month

2. The rates of supplementary addition will be related to the family pension as would be payable in terms of paragraph 78(1) of the Employee's Family Pension Scheme, 1971 and will not be related to the temporary higher pension if any, under paragraph 78(2) thereof.

3. The above supplementary increase will be related to the pension as increased with effect from 1st April, 1982 vide notification of the Government in the Ministry of Labour and Rehabilitation No. S.O. 1351 dated the 16th February, 1983.

4. The above supplementary addition, is in addition to the supplementary addition paid to the family pensioners as on 1-4-82 vide S.O. 1611 dated 5-3-83.

[F. No. R. 11025/2/84-F.P.G.]

का ३१. २६१०—मैसर्स हिंदुस्तान स्टील ट्रॉफ़िस्टेट, बावार रोड, अजमेर, राजस्थान (राजस्थान १३९२), (जिसे इसमें इन्हें पहचान उक्त ग्रामपाल कहा गया है) ने कर्मचारी भविष्य निधि और प्रवीण उपबन्ध उपचारियम, १९५२ (१९५२ का १९) (जिसे इसपे इसके पहचान उक्त अधिनियम कहा गया है) की धारा १७ की उपधारा (२३) के अधीन छूट दिए जाने के लिए आठदंश किया है;

और केन्द्रीय सरकार का समाधान दो गण हैं कि उक्त २६१० के कर्मचारी, किसी पथक अधिदाय या प्रीमियम का मंदाय किए यिन्ही ही, भारतीय जीवन बीमा नियम को सामूहिक बीमा स्कीम के अधीन जीवन बीमा के स्वरूप फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक बहुकृत हैं जो कर्मचारी नियमें इन्हें बीमा स्कीम १९७६ (जिसे इसमें इसके पश्चात उक्त स्कीम कहा गया है) के अधीन उन्हें अनुदान दें,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा १७ की उपधारा (२-क) द्वारा प्रवर्त्त शक्तियों का प्रयोग करते हुए, और इससे उपावद्ध अनुसूची में विनिर्दिष्ट इतों के अधीन रहते हुए, उक्त स्थापन को उन नई की अपर्धिक के लिए उक्त स्कीम के सभी उपबन्धों द्वारा उपयोग से छूट देने हैं।

अनुसूची

१. उक्त स्थापन के सम्बन्ध में नियोजक प्राविधिक भविष्य निधि आयदत, राजस्थान को ऐसी विवरणियों भेजेगा और ऐसे लेखा रखेगा तथा पिरीक्षण के लिए ऐसी ग्रन्थिएँ प्रदान करेगा जो केन्द्रीय सरकार, रामट-रामय पर निर्दिष्ट करे।

२. नियोजक, ऐसे पिरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के १५ दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा १७ की उपधारा (३-क) के साथ (क) के अधीन समान-समय पर निर्दिष्ट करे।

३. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का मंदाय, लेखाओं का अन्तरण नियोक्षण प्रभारों संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

४. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम दो नियमों की एक इति, और पश्च कभी उनमें संबोधन किया जाए, तब उन संशोधन की प्रति तथा कर्मचारियों की बहुसंघ की भाषा में उसकी मूल्य बासों का अन्वाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

५. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की विविध निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम शुरूत दर्ज करेगा और उसकी दायत आवश्यक प्रीमियम भारतीय जीवन बीमा नियम का मंदस करेगा।

६. यदि उक्त स्कीम के अधीन कर्मचारियों को उपबन्ध फायदे अद्याए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में सम्बन्ध स्पष्ट से दृढ़ दी जाने की अनुसन्धा करेगा जिसमें कि कर्मचारियों के

निए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन गदों में अधिक अनुकूल हों, जो उक्त स्कीम के अधीन उपलब्ध हैं।

७. सामूहिक बीमा स्कीम में यिसी बात के होते हुए भी, यादि यिसी कर्मचारी का मृत्यु पर हस स्कीम के अधीन अन्देय रकम उक्त रकम ने बद्द है, जो कर्मचारी को उस ददा में सदेय होती, तब वह उक्त स्कीम के अधीन होता ही, ग्राहोजक कर्मचारी के विधिन नामिनीशिता को प्रति कर के रूप में दाना रकम का अन्वाद रकम का संदाय करेगा।

८. सामूहिक बीमा स्कीम दो उपलब्धों में दोई भी स्पष्टिक, १ दोशक २ दिव्य नियम अनुकूल राजस्थान के पर्व ३ गोपन एवं वित्त नहीं किया जाएगा और जहा यिसी सदा-६८ में कर्मचारियों के हित एवं प्रतिकूल प्रशासन पड़ने की गम्भीरा हो, तदा प्रावेशिक विधियां अधिक, अपना अनुमोदन देने से पर्व कर्मचारियों को उपना द्वितीय स्पष्ट करने वाले नियमांक अवधार देगा।

९. यदि यिसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उस सामूहिक बीमा स्कीम के, जिसे स्थापना एवं ३०८ चुका है अधीन नहीं रह जाते हैं, या इस स्कीम दो अन्तर्गत कर्मचारियों को ग्राह होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

१०. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा नियम नियत करें, कर्मचारी का मंदाय करने में असफल रहता है, और यातीमी को व्ययगत हो जाने प्रिया जाता है, तो छूट रद्द की जा सकती है।

११. नियोजक द्वारा प्रीमियम के संदाय में किए गए दिसी वित्तकम की दशा में उक्त मृत सदस्यों के नाम-निर्देशितयों एवं विधिक वारिसों को जो यदि यह सूट न दी गई होती तो उक्त रकम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

१२. उक्त स्थापन के सम्बन्ध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम-निर्देशितयों/विधिक वारिसों की बीमाज्ञा रकम का संदाय हत्यरा से दो वर्ष प्रत्येक दशा में भारतीय जीवन बीमा नियम ने बीमाकूल रकम प्राप्त होने के सात दिन के भीतर निनिश्चित करेगा।

[संख्या एस-३५०१४/७४/८४-एफ.पी.जी.]

S.O. 2610.—Whereas Messrs. Hindustan Machine Tools Limited, Beawari Road, Ajmer, Rajasthan (RJ 1392), (hereinafter referred to as the said establishment) have applied for exemption under sub-section 2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers contained in sub-section (2A) of section 17 of the said Act and to the conditions specified in the Schedule annexed to the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Rajasthan, maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premium, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Rajasthan and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of

deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee, legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

[No. S-35014(74)/14-P]

दा. ३७ २०११.—संख्या अलूली दूर्विज्ञान, ९-डा. दू. एम. इमचारी स्ट्रीट, कलकत्ता-१७ (पश्चिम बंगाल/१५०१०), (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और नकीर्ण उपर्युक्त अधिनियम, १९५२ (१९५२ का १९) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा १७ की उपाधा (२क) के अधीन छूट दिए जाने के लिए आवंदा किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् अभिवाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा नियम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में कागदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निष्केप संबद्ध बीमा स्कीम १९७६ (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुशय हैं;

उत्तर दण्डीय सरकार, उक्त अधिनियम की धारा १७ की उपाधा (२-क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपादान अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपायों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य नियम, दायू, पांचवा, १९८१ का ऐसी दिव्यरणिया भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का इत्येक मास की समाप्ति के १५ दिन के भीतर पंदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा १७ की उपाधा (३-क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, दिव्यरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्याप्रों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अन्मोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब जन संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मूल्य बातों का अनुवाद, स्थान के रूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि जा या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियो-

जित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के यदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत जादृश्यक प्रीमियम भारतीय जीवन बीमा नियंत्रण को संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में सम्बन्धित रूप से बढ़िया की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन आनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदर्भ रकम उस रकम से कम है, जो कर्मचारी को उस दशा में संदेश होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम-निवैशिति को प्रति कर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्यत निधि आयुक्त पश्चिमी बंगाल के पर्व अन्नमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहाँ प्रादेशिक भविष्यत निधि आयुक्त, अपना अन्नमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण साझा करने का प्रतिकृत्युक्त अद्वारा देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियंत्रण की उस सामूहिक बीमा स्कीम के, जिसे स्थापन एन्ट्रें अन्ना चक्रा है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे प्रियमी रीट से वृद्धि हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियंत्रित तारीख के भीतर, जो उत्तीर्ण जीवन नियंत्रण नियंत्रण करे, प्रीमियम का संदाय वर्तने में असफल रहता है, और पालिसी को व्यवस्था नहीं जाने दिया जाता है तो, छूट रद्द दी जाएगी।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी वर्षीय क्रम की रकम से, उस मूल स्वरूपों के नामिनिवैशितियों या प्रियमी वारिसों को जो यदि "ह" छूट न होती तो उक्त स्कीम के अन्यथा दी जाए, दी जाए फायदों के संदर्भ के उत्तराधिकार नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी स्वस्थ की मृत्यु होने पर भारतीय जीवन नियंत्रण उसके हठदार नाम-निवैशितियों परि-क्र-प्रियमी वारिसों दी जाना चाहूँ रकम का संदाय तत्पत्ता से और प्रत्येक वर्ष यो रकमी पूर्वान्तर से पूरे किए गए दावों के प्राप्त होने के पास साहू रिनार रिट्रिविंग करेगा।

[संख्या आ-25011/73/84-एफ.जी.पी.]

S.O. 2611.—Whereas Messrs. Belle Vue Clinic, 9, Dr U. N. Bhattachari Street, Calcutta-17 (WB15010) (hereinafter referred to as the said establishment) have applied for option under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

whereas, the Central Government is satisfied that the employees of the said establishment i.e. without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, West Bengal, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment excepted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, West Bengal and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the member covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects".

[No. S-35014(73)/84-PF. II]

नई दिल्ली, 23 जुलाई, 1984

का०आ० 2612.——वैसमं हात्रिया भेदेनपरमेण पाइनेंस कारपोरेशन लिमिटेड
रामन शहउग, 169-बैकला० रिकलमेशन, बम्ह-400020 (अहमदाबाद,
बंगलौर, बलगला, महाराष्ट्र और नई दिल्ली में स्थित दूसरी शास्त्रांत्री
सहित) (जिसे इसमें अपके आगे उक्त स्थापन कहा गया है) ने कर्मचारी
भविष्य निधि और प्रकारी उपबन्ध अधिनियम, 1952 (1952 का 19)
जिसे इसमें अपके आगे उक्त स्थापन कहा गया है को धारा 17 की
उपबाग (1) के खण्ड (क) के अवीन लूट प्राप्त करने के लिए अवै-
दन किया है।

केन्द्रीय मरकार की रूप में अधिकार की दरों की वावत उक्त
स्थापन के भविष्य निधि नियम द्वारा नियोजित कर्मचारियों के लिए
उक्त नियमों से अपके जनकृत नहीं हैं जोकि उक्त अधिनियम की धारा
6 में विविध हैं और कर्मचारियों को अन्य भविष्य निधि लाभ भी
प्राप्त हो रहे हैं, जो कुन गिराकर उक्त अधिनियम के अधीन या
कर्मचारी भविष्य निधि समिति, 1952 (जिसे इसमें अपके आगे उक्त स्थापन
कहा गया है) के अवीन अपकार के लिए अन्य स्थापन से के
कर्मचारियों के सबै में उपलब्ध पायदो में कम अनुकूल नहीं है।

अब केन्द्रीय मरकार उक्त अधिनियम की धारा 17 की उप-
बाग (1) के खण्ड (क) के प्रकार शक्तियों का प्रयोग करके कुएं
और इसमें उपावह अनुसूची में निर्दिष्ट शर्तों के अधीन रहते हुए
उक्त स्थापन को उक्त स्थापन के अन्तर्गत से लीन
बर्प की अवधि के लिए छठे दिन हैं।

अनुसूची

1. नियोजनक उक्त स्थापन के मन्त्र में प्रस्तुत नाम की गमालित
में 15 दिन के अन्दर निरीक्षण के लिए मार्गी भूक्तियों की वावत
करेगा और ऐसे निरीक्षण प्रथारों का गोपा सम्बन्ध फैला जो केन्द्रीय
सरकार उक्त अधिनियम की धारा 17 की उपबाग (3) के खण्ड
(क) के अधीन सम्बन्धमय पर निर्देशित है।

2. स्थापन के भविष्य निधि नियमों के अवीन गन्देय अभियान की
दर किसी भी भाव उक्त द्वारा यम नहीं होती जो ऐर-ट्रूट प्राप्त
स्थापन द्वारा अधीन विचित्र उपत स्तीम की वावत उक्त अधिनियम
के अधीन सम्बन्धमय पर निर्देशित है।

3. अधिनियम के मामलों में छूट-प्राप्त स्थापन की स्तीम गमचारी
भविष्य निधि स्थापन 1952 में कम अनुकूल नहीं होती।

4. उक्त स्तीम में कोई संशोधन जो स्थापन के विश्वासन नियमों
की अपेक्षा कर्मचारियों को अधिक फायदाप्रद है, उक्त पर स्वयंसेव लातू
कर दिया जायगा। उक्त स्थापन की भविष्य निधि के नियमों में कोई
भी भावोंधार प्राप्तेगिर भविष्य निधि जूँक के पूर्व अनुमोदन के बिना
नहीं विधा जाएगा और अहाँ ऐसे विधा संशोधन से उक्त स्थापन के
कर्मचारियों के द्वारा पर प्राप्तिकृत प्रभव पहले की संभवता हो, तबा
प्राप्तेगिर भविष्य निधि जूँक अपना अनुमोदन देने में पूर्व कर्मचारियों
को अपनी रूप स्पष्ट करने वाला युक्तियुक्त अवमर प्रदान करेगा।

5. ऐसे मार्गी कर्मचारियों को (उक्त अधिनियम की धारा 2(व))
में व्यापारिभावित जो भविष्य निधि के सदस्य होने के लिए तब पाव
हो गए होते, यदि स्थापन को छूट न प्रदान की गई होती, सदस्यों
के रूप में भर्ती कर लिया जाएगा।

6. जहा ऐसा कोई कर्मचारी जो कर्मचारी भविष्य निधि (कानूनी)
या किसी छूट प्राप्त स्थापन की किसी भविष्य निधि का पहले से ही
कोई सदस्य है, उक्त स्थापन में नियोजित किया जाता है, वहा नियोजक
उसे निधि 2(व) नदार के रूप में जूँक भर्ती करेगा और उक्ते पूर्व
नियोजकों के पाव ऐसे कर्मचारी के भर्ती; निधि लेवे में संचयन को
उक्ते नियोजकों में अंतरित और जाए। कर्मचारी।

7. नियोजक ऐसे नियोजकों के अनुमार और यथास्थिति, केन्द्रीय भविष्य
निधि अधिकृत या केन्द्रीय सम्बन्ध पर दिए जाएं,
भविष्य निधि के प्रत्येक विधा एक व्यापी बोर्ड की स्थापन नहीं।

8. भविष्य निधि व्यापी बोर्ड में निहित होगी जो अन्य दानों के
साथ-साथ भविष्य निधि में प्राप्तियों और उक्त संदर्भों और उक्ती की अधिकार
में अनियोजितों के समुक्तियों के लिए कर्मचारी भविष्य निधि
संगठा के प्रति उत्तरदायी और लेखादायी होगा।

9. व्यापी बोर्ड तीन मास में कम से कम एक बार बैठक
होगी और तब ऐसे मार्गदर्शकों के अनुमार कार्य करेगा जो सम्बन्धमय पर
केन्द्रीय भविष्य निधि व्यापक व्यापक विधा करेगा लेखा परीक्षा करवाने का प्रधिकार होगा
और इस बारे में किया गया लार्ज नियोजन द्वारा बहन किया जाएगा।

10. व्यापी बोर्ड द्वारा रखे गए भविष्य निधि से लेखों को परिवर्त्य
योग्य व नियम संबंधी लेखापाल द्वारा लेखा परीक्षा की जाएगी। जहा
प्रायस्यक समझा जाए, केन्द्रीय भविष्य निधि व्यापक विधा को किसी प्रत्येक
लेखा परीक्षा द्वारा लेखा का पुनःलेखा परीक्षा करवाने का प्रधिकार होगा
और इस बारे में किया गया लार्ज नियोजन द्वारा बहन किया जाएगा।

11. प्रथमेक वयस्त्रावर्ष के लिए स्थापन के संगीतकाल तत्त्वज्ञ महिला समर्गोदाय वार्षिक भविष्य निधि तेजाद्वया का एक प्रति विवरणीय वर्णन की समाचारिता के पश्चात उस मास के बन्दर प्राधिकारिक भविष्य निधि आयुक्त को प्रस्तुत की जाएगी हम प्रयोजन के लिए भविष्य निधि का विवरणीय वर्णन एक अपेक्षा में 31 मार्च तक होता है।

12. नियोजक अधिकारी कर्मचारी द्वारा भविष्य निधि में सम्बद्ध अभिदायों को उस मास के जिसके लिए अभिदाय किया है अपने प्रथमेक मास की 15 तक न्यासी शोई को प्रस्तुत कर देता। नियोजक अभिदायों के संबद्ध में किसी विलम्ब के लिए न्यासी शोई को नकारात्मक संशोधन करने के लिए वैसी ही रीति में दायी होती जिसमें कि एक ऐसे लट्ट प्राप्त स्थापन समात परिवर्त्तियों के अधीन वापी होता है।

13. न्यासी शोई ऐसे निवेदण के अनुसार और मरकार द्वारा सम्बद्ध पर दिए जाए भूत के निधि में विनिश्चित करणा प्रतिभूतियों स्वासी शोई के नाम किसी अनुसूचित बैंक की अभिरक्षा में रखी जाएगी।

14. मरकार के निवेदण के अनुसार वित्तियान करने में असफल रहने से न्यासी शोई उसने अधिकार के लिए पवक और सम्बुद्ध वापी हो गए जो केन्द्रीय भविष्य निधि मापदण्ड गा उसके प्रतिविधि द्वारा अधिरोपित किया जाए।

15. न्यासी शोई निवेदण एक रजिस्टर रखेगा और ब्याज तथा मोबाइल आगमों का सामयिक उल्लंघन सुनिश्चित करेगा।

16. न्यासी शोई प्रथमेक कर्मचारी की आवश्यक जमा किए गए अभिदायों बारम निवासी गई राम और ब्याज को दर्शित करने वाले विवरण लेते रहेगा।

17. शोई विवरणीय/लेखावर्ष की भवानियि के छ द्वारा सम्बद्ध प्रथमेक कर्मचारी को वार्षिक लेखा विवरण जारी करेगा।

18. शोई प्रथमेक कर्मचारी को वार्षिक लेखा विवरण के बजाए पास-बुक जाने करेगा। यह पास बुक कर्मचारियों की अभिरक्षा में रहेंगी और उन्हें कर्मचारियों द्वारा प्रस्तुत किया जाने पर शोई द्वारा ग्रहणकर बनाए रखा जाएगा।

19. प्रथमेक कर्मचारी का लेखा, लेखावर्ष पहले दिन आवि अभिदाय के आधार पर संगणित ब्याज महिला नियोजित हो पर जो न्यासी शोई द्वारा विनिश्चित की जाए, किन्तु जो उक्त स्कीम के पैग 60 के अधीन केन्द्रीय मरकार द्वारा ओपिट द्वारा से कम नहीं होती जाए किया जाएगा।

20. यदि न्यासी शोई केन्द्रीय मरकार द्वारा ओपिट द्वारा पर ब्याज का संदर्भ करने में इस कारण से कि विनिश्चित पर वापी कम है या कि सीम्य कारणवाल असमर्थ है तो उसकी अनिवृत्ति नियोजक द्वारा की जाएगी।

21. नियोजक किसी ऐसी अन्य दूनि की भी क्षतिपूर्ति करणा जो चोरी मेंधारी अव्याप्ति, विनियोग या किसी अन्य कारणवाल भविष्य निधि को छुट्ट है।

22. नियोजक शोई न्यासी शोई प्रावेशिक भविष्य निधि आयुक्त को ऐसी विवरणीय प्रस्तुत करेंगे जो केन्द्रीय मरकार केन्द्रीय भविष्य निधि को देते हैं।

23. यदि स्थापन के भविष्य निधि नियमों में उक्त स्कीम के पैग 60 के आधार पर कर्मचारी के अभिदायों के उम दशा में सम्पत्तरण किया जाने का उल्लंघन किया गया है जब कर्मचारी उसका संवाद नहीं रह जाता है तो न्यासी शोई इस प्रकार सम्पत्तरण के पृथक लेखा रखेगा और उसको केन्द्रीय भविष्य निधि आयुक्त के पूर्व अनुमोदन से ऐसे प्रयोजन के लिए उपयोग कर सकेगा और अवधारण किये जाए।

24. स्थापन के भविष्य निधि नियमों में किसी बात के होने द्वारा भी यदि किसी संवाद को उसके स्थापन के कर्मचारी न रहने पर देय या किसी प्रत्येक भविष्य का उक्त स्थापन का उक्त स्थापन का उक्त स्थापन का

नियमों ने ग्रन्ति न देता तो कर्मचारी ने अभिदाय के रूप में प्रत्येक भविष्य निधि तेजाद्वया का एक प्रति विवरणीय वर्णन की अभिदाय और उस पर ब्याज के लिए से उम तक सदृश होती जब उक्त स्कीम न अधीन भविष्य निधि का सदृश बना रहता हो तो नियोजक सदृश के प्रतिकर्ष या विशेष अभिदाय के रूप में अस्तर की रकम का सदाय करेगा।

25. नियोजक भविष्य निधि के प्रणाली के मध्यी वयों जिनके अन्तर्गत ऐसाव्याची का बनाए रखा जाता विवरणीय का प्रस्तुत किया जाए, संचयनों वा अन्तरण भी है को बहन करेगा।

26. नियोजक सम्बुद्धि प्राधिकारी द्वारा यथा अनुमोदित और सम्बद्ध पर संशोधित निधि के नियमों की एक प्रति विवरणीय कर्मचारियों की भावा में उसकी सुधार बातों के अनुवाद महिला स्थापन के सूचना पट पर समर्पित करेगा।

27. सम्बुद्धि मरकार स्थापन की छठ प्राप्ति आने रखने के लिए और आपे शर्तों अधिकारित कर सकेंगी।

28. कर्मचारी भविष्य निधि अभिदायों की दरों से उम दशा में सम्बुद्धि स्थापन के व्याप्ति करेगा जब उक्त अधिनियम के प्रधीन उम स्थापन की श्रेणी के लिए जिसमें उमका स्थापन आता है भविष्य निधि अभिदाय की दरों में वृद्धि कर दी जाती है जिसमें कि स्थापन की भविष्य निधि स्कीम र प्रधीन कर दी जाती है जिसमें कि स्थापन की भविष्य निधि स्कीम के प्रधीन काफी दूर से कम अनुकूल न हो जाए, जो उक्त अधिनियम के प्रधीन उपलब्धित है।

29. छठ उक्त भौति से में किसी का उल्लंघन किये जाने के कारण रप की जा सकती है।

[संख्या अम/3-014/43/84-पी० एफ०]

New Delhi, the 23rd July, 1984

S.O. 2612.—Whereas Messrs, Housing Development Finance Corporation Limited, Ramon House, 169-Backbay Reclamation, Bombay-400020, (including its branches at Ahmedabad, Bangalore, Calcutta, Madras and New Delhi) (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas in the opinion of the Central Government the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to the employees therein than those specified in section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds in 1952 (hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character,

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall provide for such facilities for inspection and pay such inspection charges as the Central Government may from time to time direct under clause (a) of sub-section (3) of section 17 of said Act within 15 days from the close of every month.

2. The rate of contribution payable under the provident fund rules of the establishment shall at no time be lower than those payable under the said Act in respect of the unexempted establishments and the said scheme framed thereunder.

3. In the matter of advances, the scheme of the exempted establishment shall not be less favourable than the Employees Provident Fund Scheme, 1952.

4. Any amendment to the said scheme which is more beneficial to the employees than the existing rules of the establishment shall be made applicable to them automatically. No amendment of the rules of the provident fund of the said establishment shall be made without the previous approval of the Regional Provident Fund Commissioner and where any amendment is likely to affect adversely the interest of the employees of the said establishment, the Regional Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

5. All employees (as defined in section 2(f) of the said Act) who would have been eligible to become members of the Provident Fund had the establishment not been granted exemption shall be enrolled as members.

6. Where an employee who is already a member of the Employees' Provident Fund (Statutory) or a provident fund of any other exempted establishment is employed in his establishment, the employer shall immediately enroll him as a member of the fund and arrange to have the accumulations in the provident fund account of such employee with his previous employer transferred and credited to his account.

7. The employer shall establish a Board of Trustees for the management of the provident fund according to such directions as may be given by the Central Provident Fund Commissioner or by the Central Government, as the case may be, from time to time.

8. The provident fund shall vest in the Board of Trustees who will be responsible for and accountable to the Employees Provident Fund Organisation inter-alia for proper accounts of the receipts into and payments from the provident fund and the balances in their custody.

9. The Board of Trustees shall meet at least once in every three months and shall function in accordance with the guidelines that may be issued from time to time by the Central Government/Central Provident Fund Commissioner or an officer authorised by him.

10. The accounts of the Provident Fund maintained by the Board of Trustees shall be subject to audit by a qualified independent Chartered Accountant annually. Where considered necessary, the Central Provident Fund Commissioner shall have the right to have the accounts re-audited by any other qualified auditor and the expenses so incurred shall be borne by the employer.

11. A copy of the audited annual provident fund accounts together with the audited balance sheet of the establishment for each accounting year shall be submitted to the Regional Provident Fund Commissioner within six months after the close of the financial year. For this purpose the financial year of the provident fund shall be from the 1st of April to the 31st of March.

12. The employer shall transfer to the Board of Trustees the contributions payable to the Provident fund by himself and the employees by the 15th of each month following the month for which the contributions are payable. The employer shall be liable to pay damage to the Board of Trustees for any delay in payment of the contributions in the same manner as an un-exempted establishment is liable under similar circumstances.

13. The Board of Trustees shall invest the monies in the fund as per directions that may be given by the Government from time to time. The securities shall be obtained in the name of the Board of Trustees and shall be kept in the custody of a Scheduled Bank under the Credit Control of the Reserve Bank of India.

14. Failure to make the investments as per directions of the Government shall make the Board of Trustees severally and jointly liable to surcharge as may be imposed by the Central Provident Fund Commissioner or his representative.

15. The Board of Trustees shall maintain a script-wise register and ensure timely realisation of interest and redemption proceeds.

16. The Board of Trustees shall maintain detailed accounts to show the contributions credited, withdrawal and interest in respect of each employee.

17. The Board shall issue an annual statement of account to every employee within six months of the close of financial accounting year.

18. The Board may, instead of annual statement of accounts, issue passbooks to every employee. These pass books shall remain in the custody of the employees and will be brought up-to-date by the Board on presentation by the employees.

19. The account of each employee shall be credited with interest calculated on the opening balance as on the 1st day of the accounting year at such rate as may be decided by the Board of Trustees but shall not be lower than the rate declared by the Central Government under para 60 of the said Scheme.

20. If the Board of Trustees are unable to pay interest at the rate declared by the Central Government for the reason that the return on investment is less or for any other reason, then the deficiency shall be made good by the employer.

21. The employer shall also make good any other loss that may be caused to the Provident Fund due to theft, burglary, defalcation, misappropriation or any other reason.

22. The employer as well as the Board of Trustees shall submit such returns to the Regional Provident Fund Commissioner as the Central Government/Central Provident Fund Commissioner may prescribe from time to time.

23. If the Provident Fund rules of the establishment provide for forfeiture of the employer's contributions in cases where an employee ceases to be a member of the fund on the lines of para 69 of the said Scheme, the Board of Trustees shall maintain a separate account of the accounts so forfeited and may utilise the same for such purpose as may be determined with the prior approval of the Central Provident Fund Commissioner.

24. Notwithstanding anything contained in the rules of the Provident Fund of the establishment, if the amount payable to any member upon his ceasing to be an employee of the establishment or transferable on his transfer to any other establishment by way of employer and employees' contribution plus interest thereon taken together with the amount, if any payable under the Gratuity or pension rules be less than the amount that would be payable as employer's and employees' contributions plus interest thereon if he were a member of the Provident Fund under the said Scheme, the employer shall pay the difference to the member as compensation or special contribution.

25. The employer shall bear all the expenses of the administration of the provident fund including the maintenance of accounts, submission of returns, transfer of accumulations.

26. The employer shall display on the notice board of the establishment, a copy of the rules of the fund as approved by the appropriate authority and as and when amended thereto alongwith a translation of the salient points thereof in the age of the majority of the employees.

27. The "appropriate Government" may lay down any further conditions for continued exemption of the establishment.

28. The employee shall enhance the rate of provident fund contributions appropriately if the rate of provident fund contribution for the class of establishments in which his establishment falls is enhanced under the said Act so that the benefits under the Provident Fund Scheme of the establishment shall not become less favourable than the benefits provided under the said Act.

29. The exemption is liable to be cancelled for violation of any of the above conditions.

नई दिल्ली, 30 जुलाई, 1984

का०आ० 2613:—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91 के माथ पठित धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का आ 1561, तारीख 31 मार्च, 1982 के अनुक्रम में, डिप्टियन टेलीफोन इण्डस्ट्रीज लिमिटेड, रायबरेली को, जो एक पब्लिक सेक्टर उपक्रम है, उक्त अधिनियम के प्रवर्तन में, 1 जुलाई, 1982 में 30 जून 1983 तक की, जिसमें यह तारीख भी सम्मिलित है, एक वर्ष की और अवधि के लिए छूट देनी है।

2 उक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् —

(1) उक्त कारखाने का नियोजक, उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम प्रवर्तनमान था (जिसे इसमें इसके पश्चात् उक्त अवधि कहा गया है), ऐसी विवरणित, ऐसे प्रत्येक में और ऐसी विशिष्टियों सहित देंगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी थी।

(2) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को स्थापित करने के प्रयोजनार्थ; या

(2) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख, उक्त अवधि के लिए रखे गए थे या नहीं; या

(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है, या नहीं; या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में उक्त अधिनियम के उपबन्ध प्रवृत्त थे, ऐसे किन्हीं उपबन्धों का अनुपालन किया गया था या नहीं;

निम्नलिखित कार्य करने के लिए सशक्त होंगा :—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है, या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रशारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें, या उन्हे ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या

(ग) प्रधान या अव्यवहित नियोजक को, उसके अभिभवती या सेवक को, ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर, में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि कर्मचारी है, परीक्षा करना;

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में यहे ऐसी किसी रजिस्टर, लेखाबही या अन्य दस्तावेज की नकल तैयार करना या उससे उड़ारण लेना।

[संख्या एस-38014/14/82-एच०प्राई०]

स्पष्टीकारक ज्ञापन

इस मामले में छूट के आवेदन के संबंध में कारंबाई करने में कृत समय लग गया था इसलिए छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 30th July, 1984

S.O. 2613.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour, No. S.O. 1561, dated the 31st March, 1982, the Central Government hereby exempts Indian Telephone Industries, Limited, Rae Bareli, a public sector undertaking, from the operation of the said Act for a further period of one year with effect from the 1st July, 1982 upto and inclusive of the 30th June, 1983.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or

- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employee in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory;
- be empowered to—
- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
 - (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
 - (c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or
 - (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/14/82-HU]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

कांग्रेस 2614—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठ्ठन धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, और भारत सरकार ने इस मान्यता की अधिसूचना में द्वारा 1299, तारीख 9 मार्च, 1982 के द्वारा नेशनल सीड़िस कारपोरेशन लिमिटेड, नई दिल्ली के केन्द्रीय भवित्वात् और पूर्ण प्रभाग, किली के नियमित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से 1 अक्टूबर, 1982 से 30 नियमित, 1984 तक की जिम्मेयह तारीख भी अस्तित्व में है, अधिकार के लिए छूट देती है।

उक्त छूट निम्नलिखित घटनों के अधीन है, अर्थात्—

(1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाधिकार दर्शित किए जाएंगे;

(2) इस छूट के होने हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रमुखियाएं प्राप्त करते रहेंगे, जिनको पाने के लिए इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त

होने की तारीख से पूर्व सदत अभिदायों के आधार पर हकदार हो जाने;

(3) छूट प्राप्त अधिकार के लिए यदि कोई अभिदाय पहले ही संदर्भ किया जा चुके हैं तो वे वापस नहीं किए जाएंगे;

(4) उक्त कारखाने का नियोजक उम अधिकार की बावत जिसके द्वारा उस कारखाने पर उक्त अधिनियम प्रवृत्त हो (जिसमें इसके पश्चात् उक्त अधिकार कहा गया है) ऐसी विवरणिया ऐसे प्रस्तुप में और ऐसी विशिष्टियों सहित देंगा जो कर्मचारी राज्य बीमा (माध्याग्र) विनियम, 1950 के अधीन उमे उक्त अधिकार की बावत देनी थी;

(5) नियम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या इस नियमित प्राधिकृत नियम का कोई अन्य पदधारी—

(i) धारा 44 की उपधारा (1) के अधीन, उक्त अधिकार की बावत दी गई किसी विवरणी की विशिष्टियों को सन्यापित करने के प्रयोजनों के लिए; या

(ii) यह अभिनियन्त्रित करने के प्रयोजनों के लिए कि कर्मचारी राज्य बीमा (माध्याग्र) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अधिकार के लिए रखे गए थे या नहीं, या

(iii) यह अभिनियन्त्रित करने के प्रयोजनों के लिए कि कर्मचारी, नियोजक द्वारा दी गई उन प्रसुविधाओं को, जो ऐसी प्रसुविधाएं हैं जिनके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद और बस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या

(iv) यह अभिनियन्त्रित करने के प्रयोजनों के लिए कि उस अधिकार के द्वारा, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिए मण्डप होगा—

(क) प्रधान नियोजक या अध्यवहित नियोजक से यह अपेक्षा करना कि वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या

(ख) ऐसे प्रधान नियोजक या अध्यवहित नियोजक के अधिभोग में के कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके भारसाधक व्यक्ति से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदर्भ में संबंधित ऐसी लेखा-बहियाएं और अन्य दस्तावेजें, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी

परीक्षा करने दे या वह उसे ऐसी जानकारी दे
जो वह आवश्यक समझे; या

- (ग) प्रधान नियोजक या अव्यबहित नियोजक की, उसके अधिकारी या सेवक की या तो से किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिमर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त नियोजक या अन्य पदधारी के पास यह विश्वास करने का मुकिन्युक्त कारण है कि वह कर्मचारी है, परीक्षा करना, या
- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिमर में रखे गए किसी रजिस्टर, लेखावही या अन्य दस्तावेज की नकल करना या उसमें उड़रण लेना।

[संख्या प्रम-38014/28/82-ग्रांट-आई-०]

स्पष्टीकारक ज्ञापन

इस मामले में छूट के प्रावेदन के सम्बन्ध में कार्यवाई करने में कुछ समय लग गया था, इसलिए छूट की भूत प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट की भूतलक्षी प्रभाव देने में किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 2614.—In exercise of the powers conferred by section 88 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 1299 dated the 9th March, 1982, the Central Government hereby exempts regular employees of the Central Stores and Supply Division, Delhi belonging to the National Seeds Corporation Limited, New Delhi from the operation of the said Act for a further period with effect from 1st October, 1982 upto and inclusive of the 30th September, 1984.

2. The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refunded;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (5) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or

- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- (iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory ,

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/28/82-H1]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का.आ. 2615.—केन्द्रीय मरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91 के साथ पठित धारा 87 द्वारा प्रदत्त जक्तियों का प्रयोग करने हुए और भारत मरकार के अम मन्त्रालय की अधिसूचना संख्या का०ग्रा० 4812, तारीख 16 दिसम्बर, 1983 के क्रम में, मैमर्स मेण्टल इलैक्ट्रानिक्स लिमिटेड, माहिबाबाद को, जो विज्ञान और प्रौद्योगिकी विभाग के अधीन एक लोक उपक्रम है, उक्त अधिनियम के प्रवर्तन में 1 जुलाई, 1983 से 30 जून, 1984 तक की जिसमें यह तारीख भी सम्मिलित है, अधिक के लिए छूट देनी है।

उक्त छूट निम्नलिखित घटने के अधीन है. प्रथात् :—

- (1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित है, एक रजिस्टर रखेगा जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाधिकार दर्शित किए जाएंगे;
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करने रहेंगे, जिसको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त

होने की तारीख में पूर्व संक्त अभिदायों के आधार पर हकदार हो जाने।

(3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले ही मंदन किए जा चुके हैं तो वे वापस नहीं किए जाएंगे;

(4) उक्त कारबाने का नियोजक उस अवधि की बाबत जिसके दौरान उस कारबाने पर उक्त अधिनियम प्रवृत्त था (जिसे इसके पश्चात् उक्त अवधि कहा गया है) ऐसी विवरणिया, ऐसे प्रवृत्त में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उस उक्त अवधि की बाबत देनी थीं;

(5) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या इस निमित प्राधिकृत निगम का कोई अन्य पदधारी।—

(i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को मन्यापित करने के प्रयोजनों के लिए या

(ii) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गए थे या नहीं, या

(iii) यह अभिनिश्चित करने के प्रयोजनों के लिए कि कर्मचारी, नियोजक द्वारा दी गई उन प्रमुकिधाओं को, जो ऐसी प्रमुकिधाएँ हैं जिनके प्रतिफलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या

(iv) यह अभिनिश्चित करने के प्रयोजनों के लिए कि उस अवधि के दौरान, जब उक्त कारबाने के संबंध में अधिनियम के उपर्युक्त प्रवृत्त थे, ऐसे किन्हीं उपर्युक्तों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिए सशक्त होगा:—

(क) प्रधान नियोजक या अव्यवहित नियोजक से यह अपेक्षा करना कि वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या

(ख) ऐसे प्रधान नियोजक या अव्यवहित नियोजक के अधिभोग में के कारबाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके भारताधिक व्यक्ति से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसी लेखा-विहिया और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी

परीक्षा करने दे या वह उसे ऐसी जानकारी दे जो वह आवश्यक समझे; या

- (ग) प्रधान नियोजक या अव्यवहित नियोजक की, उसके अधिकर्ता या सेवक की या ऐसे किसी व्यक्ति की जो ऐसे कारबाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तिमुक्त कारण है कि वह कर्मचारी है परीक्षा करना; या
- (घ) ऐसे कारबाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा-ब्हासी या अन्य दस्तावेज की नकल करना या उससे उद्धरण लेना।

[संख्या एम-38014/19/83-एच.आई.]
ए.के. भट्टराई, प्रवर मन्त्रिव

स्पष्टीकारक शापन

इस मामले में छूट के आवेदन के सम्बन्ध में कारबाई करने में कुछ समय लग गया था इसलिए छूट का भूतलक्षी प्रभाव देना आवश्यक हो गया है। यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 2615.—In exercise of the powers conferred by section 87 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the Notification of the Government of India in the Ministry of Labour No. S.O. 4812 dated the 16th December, 1983 the Central Government hereby exempts M/s. Central Electronic Limited, Sahibabad, a public sector undertaking under the Department of Science and Technology, from the operation of the said Act, for a further period of one year with effect from 1st July, 1983 upto and inclusive of the 30th June, 1984.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf shall, for the purposes of—
- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in

cash and kind being benefits in consideration of which exemption is being granted under this Notification; or

(iv) ascertaining whether any of the provisions of the said Act has been complied with during the period when such provisions were in force in relation to the said factory, be empowered to—

- require the principal or immediate employer to furnish to him such information as he may consider necessary, or
- enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such account books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- examine the principal or immediate employer, his agent or servant or any person found in such factory, establishment, office or other premises or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/19/83-HI]

A. K. BHATTARAI, Under Secy.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

आदेण

नई दिल्ली, 7 मई, 1984

का.आ. 2616:—इसमें उपावड़ अनुसूची में विनियोग औद्योगिक विवाद श्री महेन्द्र भूषण शर्मा, पीठासीन अधिकारी, औद्योगिक अधिकरण, जयपुर के भवध लंबित पड़े हैं:

और पश्चात रेलवे मजदूर संघ ने निकटवा और सुविधा के लिए विवाद को औद्योगिक अधिकरण, अहमदाबाद को स्थानांतरित करने का अनुरोध किया है,

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33-व की उपधारा (1) के साथ पश्चिम धारा 7क के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जी.एम. बरोन होंगे, जिन का मुख्यालय अहमदाबाद में होगा और उक्त श्री महेन्द्र भूषण शर्मा, पीठासीन अधिकारी, औद्योगिक अधिकरण, जयपुर के समक्ष लंबित उक्त विवाद के संबंध कार्यवाही को व्यापक रूप से अधिकारी और उसे श्री जी.एम. बरोन, पीठासीन अधिकरण, औद्योगिक अधिकरण, अहमदाबाद को इस निदेश द्वारा स्थानांतरित करनी है कि उक्त अधिकरण आगे

कार्यवाही उस प्रक्रम से करेगा, जिस पर वह उन स्थानांतरित की जाए तथा विधि के अनुसार उसका निपटाव करेगा।

अनुसूची

आदेण की संख्या

पश्चात्तरी के नम

और तारीख

म.एल-41011(27)/ विभागीय रेलवे प्रबन्धक, पश्चिमी 83-डी-2 (बी) दिनांक रेलवे, अजमेर और मयूरक सचिव, 20 फरवरी, 1984 पश्चिमी रेलवे मजदूर संघ, श्री बी जैस, कि भारत सरकार जैड-गन-19 गार्डीन्स, कच्छ-370201 अम श्रीर पुनर्वास मंत्रालय, अस विभाग, नई दिल्ली के शुद्ध पत्र संख्या एल-41011 (27)/83-डी-2 (बी) दिनांक 4 अप्रैल, 1984 के द्वारा संशोधित किया गया है।

[संख्या एल-41011/27/83-डी-2 (बी)]

ORDER

New Delhi, the 7th May, 1984

S.O. 2616.—Whereas an industrial dispute specified in the Schedule hereto annexed is pending before Shri Mahendra Bhushan Sharma, the Presiding Officer, Industrial Tribunal, Jaipur;

And whereas the Western Railway Mazdoor Sangh has requested for transferring the dispute to an Industrial Tribunal at Ahmedabad for the reasons of proximity and convenience;

Now, therefore, in exercise of the powers conferred by section 7A read with sub-section (1) of section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, the Presiding Officer of which shall be Shri G. S. Barot with headquarters at Ahmedabad and withdraws the proceedings in relation to the said dispute pending before the said Shri Mahendra Bhushan Sharma, Presiding Officer, Industrial Tribunal, Jaipur, and transfers the same to Shri G. S. Barot, Presiding Officer, Industrial Tribunal Ahmedabad with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

No. and date of the Order Name of the parties

No. L-41011(27)/83-D. II(B) The Divisional Railway Manager dated the 20th February, 1984, as amended by Corrigendum No. I-41011(27)/83-D.II dated the 4th April, 1984 B.B.Z-19 Gandhidham Kutch of the Government of India 370 201.

Ministry of Labour and Rehabilitation, Department of Labour, New Delhi.

[No. L-41011(27)/83-D. II(B)]

प्रांदण

नई दिल्ली, 12 जून 1984

का० मा० 2617—केन्द्रीय सरकार को गय है कि इसमें प्रधारण अनुसूची में वित्तियाल विषय के बारे में गणविधि रेलवे के प्रबंधनताव में ममवद् एक श्रीरामिक विवाद नियांका थी। उसके कर्मकारों के बीच विवादान है।

और केन्द्रीय सरकार उक्त विवाद को न्यायिकीयन के लिए निर्देशित करना आवश्यक समझती है।

अन्तः केन्द्रीय सरकार, श्रीरामिक विवाद प्रधारणम् 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के लंड (ए) द्वारा प्रदत्त अनियों का प्रयोग करते हुए, एक श्रीरामिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी थे महेन्द्र भूषण शर्मा होंगे, जिनका मुख्यालय जयपुर में होगा श्रीर उक्त विवाद को उक्त अधिकरण की न्यायिकीयन के लिए निर्देशित करती है।

प्रनृसूची

“क्षमा महाप्रधक, प्रधारणी रेलवे, चम्बल और कार्यकारी प्रधियमता (एम० एण्ड म०)। प्रधारणी रेलवे, कोटा की नैमित्तिक श्रमिक श्री ज्वाजा जा की प्रतीन, 1983 में सेवा विच्छेद करते की कार्यवाही न्यायोचित है? यदि नहीं, तो कर्मचार जिस अनुत्तोष का लक्ष्यालय है?”?

[मा० ए०-४१०१२/४/८४-डी-२ (शी)]
टी० श्री० सीतारामन, प्रधार सचिव

ORDER

New Delhi, the 12th July, 1984

S.O. 2617.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Western Railway and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Mahendra Bhushan Sharma shall be the Presiding Officer with headquarters at Jaipur and refers the said dispute for adjudication.

SCHEDULE

“Whether the action of the General Manager, Western Railway, Bombay and the Executive Engineer (S&C) I Western Railway Kota in causing discontinuity in the service of Shri Khwaja Khan, Casual labourer in April, 1983 is justified? If not to what relief is the concerned workman entitled?”

[No. L.-41012(4)/84-D.II(B)]

T. B. SITARAMAN, Under Secy,

New Delhi, the 25th July, 1984

S.O. 2618.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the National Sugar Institute, Kanpur and their workman, which was received by the Central Government on the 19th July, 1984.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 55/83

In the matter of dispute between :

Shri Beni Prasad Singh S/o Sh. Chhedi Lal, resident of
Benaupur, Post Office Kalyanpur, Kanpur.

Versus

National Sugar Institute,
Kanpur (U.P.).

APPEARANCES :

Shri Narendra Chaudhary—for the Management.

None—for the workman.

AWARD

Central Government, Ministry of Labour, vide Order No. L-42012(82)/80-D.II(B) dated 22nd May, 1982 made reference of the following dispute to this Tribunal for adjudication:—

“Whether the action of the Management of National Sugar Institute, Kanpur in refusing employment to Shri Beni Prasad Singh, a casual daily rated Chowkidar, with effect from 22-9-1976 is justified? If not, to what relief is the workman entitled?”

2. Shri Beni Prasad Singh filed the statement of claim and asserted that he was employed with the National Sugar Institute, U.P. on 24-12-74 as Chowkidar and that on 22-9-76 a First Information Report against him was lodged in Police Station Kalyanpur, Kanpur under section 147/323 I.P.C. and he was arrested on 22-9-76 and was released on bail on 24-9-76.

3. His case is that when he joined duty on 25-9-76 he was not allowed by Shri B. G. Sathe, Senior Administrative Officer of the Management and that subsequently case No. 859 of 1978—State Vs. Shahabuddin & Others was registered against him. It was decided by Smt. Mahmuda Ashraf, Special Metropolitan Magistrate, Kanpur on 27-10-79 by which the workmen were acquitted. Therefore, he went to the employer to report on duty but he was not allowed to join duties. The workman claimed reinstatement in service with continuity in service and back wages.

4. The Management contested the claim and asserted that Sh. Beni Prasad Singh was engaged as daily paid casual Chowkidar in spells from 24-12-74 to 21-9-76 but was not made a permanent Chowkidar. The permanent Chowkidar of the Institute Ram Kewal Singh was beaten up on duty by Sh. Beni Prasad Singh and Shri Ram Kewal Singh lodged FIR in Kalyanpur Police Station. The petitioner Sh. Beni Prasad Singh was never discharged by the Institute. He did not represent himself after 24-9-76. It was admitted that a copy of the judgment of case No. 859/78 State Vs. Shahabuddin & Others was received by the Institute from the Advocate of the petitioner on 24-12-79 but petitioner never presented himself for employment during the period 24-9-76 to 24-12-79 for a period of more than three years. As such it was a case of abandonment of service by him.

5. The Management filed affidavit of Shri R. P. Rohella, Senior Administrative Officer, National Sugar Institute, Kanpur and the officer came for cross-examination also on a few dates but the workman did not appear. Under the circumstances, the evidence is closed and the workman is proceeded against ex parte.

6. The case of the Management as affirmed by the affidavit of Senior Administrative Officer, R. P. Rohella is accepted and it is held that this is case of abandonment of service by the workman who did not appear for service with the Management after 24-12-79 for a period of more than 3 years. The workman is not entitled to any relief and the action of the Management does not call for any interference and the Award is made accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

JULY 6, 1984.

O. P. SINGLA, Presiding Officer
[No. L-42012(82)80-D.II(B)]

New Delhi, the 25th July, 1984

S.O. 2619.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh in the industrial dispute between the employers in relation to the management of Bhakra Beas Management Board, Nangal Township, Punjab and their workmen, which was received by the Central Government on the 16th July, 1984.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, (CENTRAL) CHANDIGARH

Case No. I.D. 56/80 (N. Delhi) 107/83 (CHD)

PARTIES :

Employers in relation to the management of Bhakra Beas Management Board, Nangal Township—Punjab.
AND

Their Workmen

APPEARANCES :

For the Employers—Shri R. L. Kaith.

For the Workmen—Shri R. K. Singh.

Bakra Beas Management Board. Nangal Township—Punjab.

AWARD

Dated, the 11th July, 1984

The Central Govt. Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act per their Order No. L-42011(4)80-D.II(B) dated the 1st of July, 1980 read with S.O. No. S-11025(2)/83 dated the 8th of June 1983 referred the following Industrial dispute to this Tribunal for adjudication :—

"Whether the demand of Bhakra Beas Employees Union that Sarvshree Nikka Ram, Lachman Dass, Kishan Chand and Ram Singh be fixed as foreman Misc (Carpentry) is justified ? If so, to what relief they are entitled ?"

2. During the course of final hearing the parties arrived at a mutual understanding, on the face of it fair to both of them. As a matter of fact, the agreement which has been taken down by me on the Tribunal's record, goes a long way to meet the demands of the petitioner-Workmen.

3. Accordingly on approving the same, I hereby return my Award in the following terms :

- With effect from 1-2-1968 the petitioners shall be fixed in the scale of Rs. 140-300 and re-designated as Carpenter Grade I.
- With effect from 30-6-1980 they (petitioners) shall be deemed to have been promoted as Foreman Misc. and placed in the grade of Rs. 510-940.
- The accruing arrears shall be paid to the petitioners expeditiously.

Chandigarh

11-7-1984

I. P. VASISHTH, Presiding Officer.
[No. L-42011(4)80-D.II(B)]

S.O. 2620.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the Delhi Milk Scheme and their workmen, which was received by the Central Government on the 19th July, 1984 :—

549 GI/84—9

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 172/83

In the matter of dispute between :

Shri Rati Ram Slo Kanarya Lal.

Versus

The General Manager,
Delhi Milk Scheme,
West Patel Nagar,
New Delhi.

APPEARANCES :

Shri A. S. Tokas—for the Management.

Shri R. S. Rawat—for the workman.

AWARD

Central Government, Ministry of Labour vide Order No. L-42012(28)82-D.II(B) dated 31st March, 1983 made reference of the following dispute to this Tribunal for adjudication :

"Whether the action of the Delhi Milk Scheme in discontinuing the appointment of Shri Rati Ram Heavy Vehicle Driver w.e.f. 16-7-1981 is legal and justified ? If not, to what relief the workman is entitled ?"

Mr. Banwari Lal, Joint Secretary of the Delhi Milk Scheme Employees' Union, Delhi submitted the statement of claim. It was pleaded that 7 mates/Drivers were appointed in Delhi Milk Scheme to the post of Heavy Vehicle Driver in the pay scale of 320-400 with Rs. 25 P.M. special pay w.e.f. 15-5-81 after qualifying departmental Trade test. Rati Ram, the claimant was one of them. Their appointments were initially valid upto 30-6-81 but all the appointees except Rati Ram have been continuing as such without any subsequent order for extension. Office Order No. 234 for extension of the period upto 15-7-81 was issued for Rati Ram exclusively. But no further extension order was issued and he was not H.V.D. after 15-7-81.

3. In view of the fact that the remaining six persons were allowed to continue uninterruptedly as H.V.D. without any subsequent orders the workman claimed that he is also entitled to continue as such and that the Industrial Tribunal may give him rights of appointment to the post of H.V.D. with retrospective effect right from 16-7-81 with costs and compensation.

4. The Management of Delhi Milk Scheme contested the claim and pleaded that the workman was not entitled to any relief because the appointment was purely on ad-hoc basis for short duration and was not regular appointment. Three ex-servicemen and 10 mates were appointed on ad-hoc basis to tide over the difficulty due to shortage of Drivers in Delhi Milk Scheme. No order of extension of H.V.D. appointed was issued in any case. His representation was considered and the General Manager did not feel it necessary to extend the appointment of Rati Ram beyond 16-7-81 and it was not a case where compensation could be paid to him.

5. The workman filed his own affidavit and Shri Deepak Jain of Delhi Milk Scheme has filed his own affidavit. I have heard representatives of the parties.

6. The workman Mr. Rati Ram worked as H.V.D. only for a period of two months and the appointment was ad-hoc and if this appointment was not continued by the Management, he could have no grievance. The original letter of appointment dated 16-5-81 is in the following terms :—

"No. 1-2/90-Fatt. III
Government of India.
Delhi Milk Scheme.
West Patel Nagar.
New Delhi-8.

Dated the 15th May, 1981

OFFICE ORDER NO.

The following Mates/Drivers (Misc. Duty) are appointed in the temporary post of Heavy Vehicle Drivers purely

or temporary basis with immediate effect upto 30-6-81 in the pay scale of Rs. 320-6-326-8-390-10-400+Rs. 25 special pay and other allowances as admissible under the rules :—

1. Shri Jagdish Singh S/o Sh. Surje Singh.
Dr. (Misc. Duty).
2. Shri Rati Ram S/o Shri Kanhaiya Lal, Mate.
3. Shri Sat Narain S/o Shri Ram Sarup, Mate.
4. Shri Mange Ram S/o Shri Nihal Singh, Mate.
5. Shri Polap Singh S/o Shri Bihari Lal, Mate.
6. Shri Hukam Singh S/o Shri Kuba Ram, Mate.
7. Shri Rajinder Pd. S/o Shri Ram Singh, Mate.

This temporary appointment will not confer upon him any right or claim for appointment to the regular of Heavy Vehicle Driver in the Delhi Milk Scheme. This is issued with the approval of General Manager.

Distribution.

Sd/-

M. M. KHAN, Dy. General Manager (T)^{1(A)}.

1. Person concerned.
2. Accountants (Estt.) Section 2 Copies.
3. Office Order file.
4. General Section.
5. Time office.
6. Security Officer.
7. S.W.O.
8. P.A. to personnel officer.
9. Pay & Accounts office, Delhi Milk Scheme.
10. Personnel File.
11. Transport Officer.
12. Transport Engineer.
13. Manager (Distribution).
14. Internal Audit Section."

7. This order specifically states that this temporary appointment will not confer any right or claim for appointment to the regular post of H.V.D. in the D.M.S. There is nothing in the extension order issued on 15th July, 1981 to vary this position.

8. I am accordingly of the clear opinion that the workman has no legal right to continue in employment after 15th July, 1981 as H.V.D. because his substantive post was that of a Mate. The continuance of other mates as Drivers may be regular or irregular but it confers no right on this workman to be continued as a H.V.D., that would be conferring on him a right for regular appointment as H.V.D. which claim was negatived in the appointment order dated 15-5-81 extracted above.

9. The action of the Management of Delhi Milk Scheme in discontinuing appointment of Rati Ram as H.V.D. w.e.f. 16-7-81 is seen to be legal and justified and no call for interference Award is made accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

JULY 6, 1984.

O. P. SINGLA, Presiding Officer.

[No. L-42012(28)/82-D. II(B)]

T. B. SITARAMAN, Under Secy.

नई दिल्ली, 12 जून, 1984

आदेत

का०आ० 2621.—केन्द्रीय सरकार की राय है कि इससे उपायक अनुसूची में विनिर्दिष्ट विषय के बारे में सेवा और प्राकृतिक गैस आयोग, पश्चिमी क्षेत्र, बड़ोदा के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजितों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहती है;

अत. केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उआधारा (1) के खण्ड (d) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीछाएँ अधिकारी श्री जी.एस. बर्गत होंगे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्याय निर्णयन के लिए निर्देशित करती है।

अनुभूति

"क्या तेल और प्राकृतिक गैस आयोग, पश्चिमी क्षेत्र, बड़ोदा के प्रबंधन की अंकलेश्वर में तकनीकी योग्यता रखने वाले टेलेकम्प्रापरेटरों को तकनीकी कर्मकार न मानकर केवल महायक मानने और इस प्रकार उनको सहायक नाविक/रेडियो आपरेटरों के रूप में पदोन्नति देने से इन्कार करने की कार्यवाही न्यायोनित है? यदि नहीं तो उक्त कर्मकार किस अनुतोष के हकदार है और किस तारीख में?"

[सं. एल-30011/10/83-डी-3 (बी)]

New Delhi, the 12th June, 1984

ORDER

S.O. 2621.—Whereas the Central Government is of opinion that an industrial dispute exists between the employees in relation to the management of Oil and Natural Gas Commission, Western Region, Baroda and their workmen in respect of the matters specified in the Schedule hereeto annexed;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby constitutes an Industrial Tribunal of which Shri G. S. Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Oil & Natural Gas Commission, Western Region, Baroda, in not treating telex Operators with Technical qualifications at Ankleshwar as Technical hands but only as Assistant, thus denying them promotion as Assistant Marine/Radio Operators is just find? If not, to what relief are the said workmen entitled and from what date?"

[No. L-30011/10/83-D.III(B)]

आदेश

नई दिल्ली, 2 जलाई, 1984

का. आ. 2622.—केन्द्रीय सरकार की राय है कि इसमें उपचाल अनुसूची में विनिर्दिष्ट विषय के बारे में टाटा केमिकल्स लि., जाम-जोधपुर, जिला-जामनगर (गुजरात) के प्रबंधतंत्र से सन्वद्ध एवं औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशन करना चांछतीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 7-के ओर धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शर्कितों का प्रयाप्त करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठ सेवन अधिकारी श्री जी. एस. बरोट होगे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद का उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशन करती है।

अनुसूची

“क्या मैस्तर टाटा केमिकल्स लि., जाम-जोधपुर, जिला-जामनगर के प्रबंधतंत्र की ट्रक अपरेटर, सर्वश्री हेमु-भाई वर्जी, लक्खु पिठा, जेठा मूरा, अभा अला, बहादुर सिंह हेमु और सोमु राजु प.व.ता. की भाँचे, 1983 में सेवा समाप्त करते की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार 1कस अनुतोष के हकदार हैं?”

[स. एल-29012/2/84-डी-3 (बी)]

New Delhi, the 2nd July, 1984

ORDER

S.O. 2622.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Tata Chemicals Ltd., Jam-Jedhpur, District Jamnagar (Gujarat) and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G. S. Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the management of Messrs Tata Chemicals Ltd., Jam-Jodhpur, District Jamnagar in terminating the services of Serva Shri Hemubhai Verji, Lakhu Pitha, Jetha Moora, Abha Ala, Bhadur Singh Hemu and Somu Raju Makvana, truck operators, in March, 1983 is justified? If not to what relief are the workmen concerned entitled?”

[No. L-29012/2/84 D.III (B)]

नई दिल्ली, 11 जुलाई, 1984

आदेश

का. आ. 2623.—केन्द्रीय सरकार की राय है कि इसमें उपचाल अनुसूची में विनिर्दिष्ट विषय के बारे में सिंगरेनी कोलिवरीज कॉ. लि., मन्दामारी डिवीजन, डाक-घर कल्याणी खानी के प्रबंधतंत्र से सन्वद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद वाले न्यायनिर्णयन के लिए निर्देशन करना चांछतीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-के ओर धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शर्कितों का प्रयाप्त करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठ सेवन अधिकारी श्री ग्राई. पांडु रंगा राधे होगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद का उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशन करती है।

अनुसूची

“क्या राष्ट्रीय कोयला बेतन समस्ती-2, दिनांक 11-8-1979 के उपबन्धों को ध्यान में रखते हुए सौसंस सिंगरेनी कोलिवरीज कम्पनी लिमिटेड के प्रबंधतंत्र की कम्पनी के मृतक कर्मकारों के अधिकारों, अवृत्ति सर्वश्रीमती (1) ममीती सुगुना, (2) थुंगापिण्डी भीमाकाका, (3) सथम् सुगुना, (4) थोगरी साराकड़ (5) नीराता मालू, (6) कोटा सरोजा, (7) पोलवनी राज और (8) रोठी भुमका को रोजगार देने से इनकार करते की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित 8 कर्मकार किस अनुतोष के हकदार हैं?”

[स. एल-22012/144/83-डी-3 (बी)]

New Delhi, the 11th July, 1984

ORDER

S.O. 2623.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Singareni Collieries Co. Ltd., Mandamari Division, P.O. Kalyani Khani and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Ranga Rao shall be the Presiding Officer with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether having regard to the provisions of the National Coal Wage Agreement II, dated 11-8-1979, the management of Messrs Singareni Collieries Co. Ltd. were justified in refusing employment to S/Smt. (1) Mamidi Suguna, (2) Thungapindli Bheemakka, (3) Sathan Susheela, (4) Thoguri Sommaka, (5) Neeratli Mallu (6) Kota Saloja, (7) Polaventi Raju

and (8) Routhu Bhoomakka, dependants of the deceased workmen of the Company ? If not, to what relief are the eight workmen concerned entitled ?"

[No. L-22012/144/83-D.III (B)]

नहीं विल्सनी, 12 जुलाई, 1984

आदेश

का. प्रा. 2624.—केन्द्रीय सरकार की राय है कि इससे उपायद्रष्टव्यमुखी में विनिविष्ट विषय के बारे में मैसर्स सिंगरेनी कोलियरीज कम्पनी लिमिटेड, रामगुण्डम इंडिजन-II के प्रबंधतांत्र से सम्बद्ध एक श्रीधोगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

श्रीर केन्द्रीय सरकार उक्त विवाद को स्थायनिर्णयन के लिए निर्देशित करना चाहिए यथापन्ती है;

अतः, केन्द्रीय सरकार, श्रीधोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के अन्तर्गत (प) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, एक श्रीधोगिक प्रधिकरण गठित करती है जिसके पीठासीन प्रधिकारी श्री आई. पाठु रंगा राव होंगे जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त प्रधिकरण को स्थायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या मैसर्स सिंगरेनी कोलियरीज कम्पनी लिमिटेड, रामगुण्डम इंडिजन-II के प्रबंधतांत्र द्वारा श्री एनुगु चन्द्रेश टब रिपरिंग मिस्ट्री औ. डी. के. 5ए. बेल्लापल्ली को वर्ष 5 से वर्ष 4 में परीक्षतांत्र करना चाहिए- चित है ? यदि नहीं, तो संविधित कर्मकार किस अनुत्तरों का हक्कार है ?"

[संघ्या एन.-22012/13/84-डी.-3 (बी.)]

New Delhi, the 12th July, 1984

ORDER

S.O. 2624.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of M/s. Singareni Collieries Co. Ltd., Ramagundam Division II and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Ranga Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the management of Messrs Singareni Collieries Co. Ltd., Ramagundam Division II are justified in reverting Shri Enugu Chandraiah, Tub Repairing Mistry, GDK 5A Incline from Category V to Cat. IV ? If not, to what relief is the workman concerned entitled ?"

[No. L-22012/13/84-D.III(B)]

आदेश

का. प्रा. 2625.—केन्द्रीय सरकार की राय है कि इससे उपायद्रष्टव्यमुखी में विनिविष्ट विषय के बारे में मैसर्स सिंगरेनी कोलियरीज कम्पनी लिमिटेड, बेल्लापल्ली इंडिजन-II, के प्रबंधतांत्र से सम्बद्ध एक श्रीधोगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को स्थायनिर्णयन के लिए निर्देशित करना चाहिए यथापन्ती है ;

अतः, केन्द्रीय सरकार, श्रीधोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के अन्तर्गत (प) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, एक श्रीधोगिक प्रधिकरण गठित करती है जिसके पीठासीन प्रधिकारी श्री आई. पाठु रंगा राव होंगे जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त प्रधिकरण को स्थायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या मैसर्स सिंगरेनी कोलियरीज कम्पनी लिमिटेड, बेल्लापल्ली इंडिजन-II के प्रबंधतांत्र की बेल्लापल्ली बर्कशेप में चार्जहैप्प श्री रेजीनल्ड बेकर की सेवाओं को 1-4-83 से निवृत्त की आयु प्राप्त करते पर समाप्त करने की कार्यवाही चाहिए ? यदि नहीं तो संविधित कर्मकार किस अनुत्तरों का हक्कार है ?"

[मं. एन-22012/28/84-डी-3(बी)]

नन्द लाल, अवर मधिव

ORDER

S.O. 2625.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Singareni Collieries Co. Ltd., Bellampalli Divn. II and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7 and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Ranga Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the management of Singareni Collieries Co. Ltd., Bellampalli are justified in terminating the services of Shri Reginald Baker, Chargehand in Bellampalli workshop on superannuation, from 1st April, 1983 ? If not, to what relief is the workman concerned entitled ?"

[No. L-22012/28/84-D.II.B]

NAND LAL, Under Secy.

नहीं विल्सनी, 25 जून, 1984

आदेश

का. प्रा. 2626.—इससे उपायद्रष्टव्यमुखी से विनिविष्ट श्री एम. श्रीनिवास राव, पीठासीन प्रधिकारी, श्रीधोगिक प्रधिकरण, हैदराबाद के समक्ष लंबित पड़े हैं और श्री एम. श्रीनिवास राव की सेवाएं भ्रष्ट उपलब्ध नहीं रही हैं;

अतः, अब, श्रीधोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 33-क की उपधारा (1) के साथ पठित धारा 7-क के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एक श्रीधोगिक प्रधिकरण गठित करती है जिसके पीठासीन प्रधिकारी श्री आई. पाठु रंगाराव होंगे जिनका मुख्यालय हैदराबाद में होगा और उक्त श्री निवास राव, पीठासीन प्रधिकारी, श्रीधोगिक प्रधिकरण, हैदराबाद के समक्ष लंबित उक्त विवाद के संबंध कार्यवाही को धापस लेती है और उसे श्री आई. पाठु रंगाराव, पीठासीन प्रधिकारी, श्रीधोगिक प्रधिकरण, हैदराबाद को इस निवेश के साथ स्थानान्तरित करती है कि उक्त प्रधिकरण आगे कार्यवाही उस प्रक्रम से करेगा, जिस पर वह उसे स्थानान्तरित की जाए तथा विधि के अनुसार उसका निपटान करेगा ।

मनुसूची

क्रमांक	शौधोगिक विवाद संख्या	भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश की संख्या और तारीख	पक्षकारों के नाम
1	2	3	4
1.	8/80	सं-एल-21011(18)/78-डी-4(बी) तारीख 7-7-1980	1. सिगरेटी कोलियरीज क.० लि., चेन्नै, खम्माम जिला (आ. प्र.) के कर्मकार और प्रबन्धनेत्र।
2.	14/80	सं-एल-11011(47)/79-डी-2-(ए) तारीख 3-10-80	सिण्डीकेट बैंक और श्रम 10 बैंकों के कर्मकार और प्रबन्धनेत्र भारतीय स्टेट बैंक, हैदराबाद के कर्मकार और प्रबन्धनेत्र।
3.	17/81	सं-एल-12011/41/80/डी-2(ए) तारीख 30-7-81	मैसर्स एस. सी. क. लि., बेलमपल्ली थोड़ा, अदिलाबाद (आ. प्रा०) के कर्मकार और प्रबन्धनेत्र।
4.	1/82	सं-एल-21012(5)/81-डी-4(बी) तारीख 15-1-1982	एस. सी. क. लि०, बेलमपल्ली के कर्मकार और प्रबन्धनेत्र।
5.	2/82	सं-एल-21011(13)/81-डी-4(बी) तारीख 2-2-1982	एम. सी. सी. क. लि., मान्यामरी और रामगृहपुर थोड़ा, अदिलाबाद जिला के कर्मकार और प्रबन्धनेत्र।
6.	5/82	सं-एल-21012(2)/81-डी-4(बी) तारीख 18-1-1982	एम. सी. क. लि०, रामगृहम हिंदीजन-2, गोदावरी खानी, करीम नगर जिला (आ. प्र.) के कर्मकार और प्रबन्धनेत्र मैसर्स सिगरेटी कोलियरीज के लि०, बेलमपल्ली के कर्मकार और प्रबन्धनेत्र।
7.	6/82	सं-एल-21011(15)/81-डी-4(बी) तारीख 23-1-1982	एम. सी. क. क. लि०, रामगृहम हिंदीजन-2 के कर्मकार और प्रबन्धनेत्र।
8.	7/82	सं-एल-21011(10)/81-डी-4(बी) तारीख 15-2-1982	एस. सी. क. क. लि०, गोदावरी खानी, करीम नगर जिला (आ. प्र०) के कर्मकार और प्रबन्धनेत्र।
9.	10/82	सं-एल-21012(10)/81-डी-4(बी) तारीख 20-2-82	मैसर्स एस. सी. क. क. लि० रामगृहम हिंदीजन-2 के कर्मकार और प्रबन्धनेत्र।
10.	11/82	सं-एल-21011(14)/81-डी-4(बी), तारीख 20-2-82	भारतीय स्टेट बैंक के कर्मकार और प्रबन्धनेत्र
11.	12/82	सं-एल-21011(1)/82-डी-4(बी) तारीख 30-2-83	मैसर्स एस. सी. क. क. लि० रामगृहम हिंदीजन-2 के कर्मकार और प्रबन्धनेत्र।
12.	13/82	सं-एल-12012(183)/81-डी-2(ए) तारीख 3-3-82	भारतीय खाद्य निगम, नैलौर जिला (आ. प्र.) के कर्मकार और प्रबन्धनेत्र।
13.	14/82	सं-एल-29011(3)/82-डी-3(बी) तारीख 20-3-82	एस. सी. क. क. लि०, कोठागृहम, खम्माम जिला (आ. प्र०) के कर्मकार और प्रबन्धनेत्र।
14.	15/82	सं-एल-34012(3)/81-डी-4(ए) तारीख 23-3-82	विशाखापत्तनम पोर्ट ट्रस्ट, विशाखापत्तनम के कर्मकार और प्रबन्धनेत्र।
15.	16/82	सं-एल-21011(16)/81-डी-4(बी) तारीख 23-3-82	एस. सी. क. क. लि०, कोठागृहम, खम्माम जिला (आ. प्र.) के कर्मकार और प्रबन्धनेत्र।
16.	17/82	सं-एल-42011(7)/81-एफसी. भाई. डी-4(ए) तारीख 26-3-82	भारतीय खाद्य निगम, नैलौर जिला (आ. प्र.) के कर्मकार और प्रबन्धनेत्र।
17.	18/82	सं-एल-21011(20)/81-डी-4(बी) तारीख 13-4-82	एस. सी. क. क. लि०, कोठागृहम, खम्माम जिला (आ. प्र०) कर्मकार व प्रबन्धनेत्र।
18.	23/82	सं-एल-34011(4)/82-डी-4(ए) तारीख 9-6-82	विशाखापत्तनम पोर्ट ट्रस्ट, विशाखापत्तनम के कर्मकार व प्रबन्धनेत्र—
19.	25/82	सं-एल-34012(2)/82-डी-4(ए) तारीख 23-6-82	मागार्जुन ग्रामीण बैंक, खम्माम, आश्वम प्रदेश के कर्मकार व प्रबन्धनेत्र।
20.	26/82	सं-एल-12011/8/81-डी-2(ए) तारीख 6-82	विशाखापत्तनम पोर्ट ट्रस्ट, विशाखापत्तनम के कर्मकार व प्रबन्धनेत्र।
21.	28/82	सं-एल-34011(2)/82-डी-4(ए) तारीख -7-82	भारतीय खाद्य निगम, जलगोप्ता के कर्मकार व प्रबन्धनेत्र।
22.	30/82	सं-एल-12012/305/81-डी-2(ए) तारीख 20-7-82	एस. सी. क. क. लि०, मन्यामरी हिंदीजन, अदिलाबाद जिला (आ. प्र.) के कर्मकार व प्रबन्धनेत्र।
23.	31/82	सं-एल-34011(1)/82-डी-4(ए) तारीख 23-7-82	भारतीय खाद्य निगम, नैलौर के कर्मकार व प्रबन्धनेत्र।
24.	33/82	सं-एल-42011/27/81-डी-4(ए) तारीख 13-5-82 और एस-11025(2)/82-डी-4(बी) ता. 17-7-82	भारतीय खाद्य निगम, कुरुक्षेत्र के कर्मकार व प्रबन्धनेत्र।
25.	35/82	सं-एल-21012(8)/82-डी-4(बी) तारीख 3-8-82	विशाखापत्तनम पोर्ट ट्रस्ट, विशाखापत्तनम के कर्मकार व प्रबन्धनेत्र।
26.	36/82	सं-एल-42011/29/81-डी-4(ए) तारीख 21-5-82 और सं-एल-42011/29/81-डी-4(ए) तारीख 25-8-82	भारतीय खाद्य निगम, कुरुक्षेत्र के कर्मकार व प्रबन्धनेत्र।
27.	38/82	सं-एल-24011(11)/82-एफ सी. भाई. डी-4(ए) तारीख 8-10-82	विशाखापत्तनम पोर्ट ट्रस्ट, विशाखापत्तनम के कर्मकार व प्रबन्धनेत्र।
28.	39/82	सं-एल-34011/(10)/82-डी-4(ए) तारीख 14-10-82	भारतीय खाद्य निगम, नैलौर (आ. प्र.) के कर्मकार व प्रबन्धनेत्र।
29.	41/82	सं-एल-42012/12/82/एफ सी. भाई. डी-4(ए) ता. 16-11-82	

1	2	3	4
30. 1/83	सं. -एल-12012/161/79-डी-2(ए)तारीख 15-1-81 और सं.-एल 12012/161/79-डी-2(ग) तारीख 4-83	स्टेट बैंक भारत हैदराबाद के कर्मकार व प्रबन्धतंत्र।	
31. 11/81	स. -एल-21011/6/81-डी-4(बी) तारीख 10-6-81	एस सी क. लि , बेलमपल्ली, अदिलाबाद जिला, (आ. प्र.) के कर्मकार व प्रबन्धतंत्र।	
32. 9/83	भारदेश नं. एल-22011/104/82-डी-3(बी), तारीख 21-6-83 भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	एस सी क. लि , श्रद्धालुवाद जिला (आ. प्र.) के कर्मकार व प्रबन्धतंत्र।	
33. 11/84	भारदेश नं. -एल-22011/5/83-डी-0- 3 (बी), ता 22-6-83 भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	एम. सी. कॉ. लि , रामागुण्डम डिवीजन, करीम नगर जिला (आ. प्र.) के कर्मकार और प्रबन्धतंत्र।	
34. 12/83	भारदेश म एल-22012(22)/83-डी-3(बी) तारीख 22-6-83, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	एम. सी. कॉ. लि , रामागुण्डम डिवीजन, करीम नगर जिला (आ. प्र.) के कर्मकार और प्रबन्धतंत्र।	
35. 13/83	भारदेश स. -एल-12012/268/62 डी-(ए) तारीख 28-6-83 और सं. एल-12012 (263)/82-डी-2(ए) ता. 22-7-82 भारत सर- कार श्रम मंत्रालय, नई दिल्ली ।	भारतीय स्टेट बैंक, विशाखापत्तनम के कर्मकार और प्रबन्धतंत्र।	
36. 14/83	भारदेश स०-एल 12012/263 /डी-2 (ए) ता 28-30-6-83 और भारतीय स्टेट बैंक, हैदराबाद के कर्मकार और प्रबन्धतंत्र। सं-एल- 12012(263)/82-डी-2(ग) ता 22-7-82 भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।		
37. 16/83	भारदेश स -एल-22011/105/82-डी-3(बी)तारीख 23-8-83 भारत एस सी क. लि काठागुण्डम के कर्मकार व प्रबन्धतंत्र। सरकार, श्रम मंत्रालय, नई दिल्ली ।		
38. 17/83	भारदेश स. -एल-22011/30/82-डी-3(बी)तारीख 8-93 भारत सर- कार, श्रम मंत्रालय, नई दिल्ली ।	एम. सी. क. लि , बेलम पल्ली के कर्मकार व प्रबन्धतंत्र।	
39. 19/83	भारदेश म -एल-22011/30/83-डी-3(बी) तारीख 8-83 भारत एस. सी. क. लि, मन्दासरी डिवीजन, अदिलाबाद जिला (आ. प्र.) सरकार, श्रम मंत्रालय, नई दिल्ली	के कर्मकार और प्रबन्धतंत्र।	
40. 20/83	भारदेश म -एल-12012/2/83-डी-2(ए), तारीख 8-83, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	भारतीय स्टेट बैंक, हैदराबाद के कर्मकार व प्रबन्धतंत्र।	
41. 24/83	भारदेश म -एल-12012(60)/82-डी-2(बी)-1(बी) ता 15-10- 83, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	भारतीय खाता निगम, निजामनगर (आ. प्र.) के कर्मकार और प्रबन्धतंत्र।	
42. 27/83	भारदेश म एल- 12012 (97)/83-डी-2(ए) तारीख 17-11-81 भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	भारतीय स्टेट बैंक, विजयवाडा के कर्मकार व प्रबन्धतंत्र।	
43. 30/83	भारदेश म -एल-22011/114/82-डी-3(बी)तारीख 19-12-83, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	एस. सी. क. लि , गोदावरी खानी, करीम नगर जिला (आ. प्र.) के कर्मकार और प्रबन्धतंत्र।	
44. 31/83	भारदेश सं. -एल-16011/1/83-डी-2(बी)तारीख 19-12-83, भारत भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	भारत सरकार मुप्रणालय, हैदराबाद और स्कोरटी प्रिन्टिंग प्रेस, हैदराबाद के कर्मकार और प्रबन्धतंत्र।	
45. 2/84	भारदेश स० -एल-12012/187/83-डी-2(ए) तारीख 28-12-83, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	भारतीय स्टेट बैंक, शेक्ष-2 विजयवाडा के कर्मकार व प्रबन्धतंत्र।	
46. 4/84	भारदेश सं -एल-22012(13)/83-डी-3(बी)तारीख 1-84, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	एस. सी. क. लि., कोठागुडम, खम्माम जिला (आ. प्र.) के कर्मकार व प्रबन्धतंत्र।	
47. 5/84	भारदेश सं.-एल-12012/270/83-डी-2(ए)तारीख 9-2-84, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	भारतीय स्टेट बैंक, हैदराबाद के कर्मकार व प्रबन्धतंत्र।	
48. 6/84	भारदेश सं.-एल-22011/7/83/डी-3(बी)तारीख 10-2-84, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	एम. सी. कॉ. लि. रामागुण्डम डिवीजन, गोदावरी खानी, करीम नगर, जिला (आ. प्र.) के कर्मकार और प्रबन्धतंत्र।	
49. 7/84	भारदेश सं. -एल-22012/95/83-डी-3(बी) तारीख 10-2-84 भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	एस. सी. कॉ. लि., कोठागुडम, खम्माम के कर्मकार व प्रबन्धतंत्र।	
50. 8/84	भारदेश सं. -एल-43011(6)/83-डी-3 (बी) तारीख 3-1-84, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	मेला राम लाल परियोजना, प्राथम प्रदेश मार्शलिंग कारपोरेशन लि., मेलाराम, खम्माम जिला के नर्मकार व प्रबन्धतंत्र।	
51. 9/84	भारदेश स. -एल-12012/18/83-डी-4(ए), तारीख 6-2-84, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	स्यू बैंक ग्राहक हैंडिया, करीम नगर शाखा (आ. प्र.) के कर्म- कार और प्रबन्धतंत्र।	
52. 10/84	भारदेश मं -एल-17012(11)/83-डी-4(ए) तारीख 6-2-84, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	भारतीय जीवन बीमा निगम, मछलीपत्तनम के नर्मकार व प्रबन्धतंत्र।	
53. 11/84	भारदेश सं.-एल-17012(10)/83-डी-4(ए), तारीख 6-2-84 भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	भारतीय जीवन बीमा निगम, मछलीपत्तनम के नर्मकार व प्रबन्धतंत्र।	
54. 12/84	भारदेश सं.-एल-22012/101/83-डी-3(बी) तारीख 14-2-84, भारत सरकार, श्रम मंत्रालय, नई दिल्ली ।	एस. सी. कॉ. लि. कोठागुडम, खम्माम जिला (आ. प्र.) के कर्मकार व प्रबन्धतंत्र।	

1	2	3	4
55 13/94	आदेश से -एल-12012/52/83-डी-2(ए), तारीख 14-2-34, भारत मिहाईट बैंक, हैरगांव के कर्मकार और प्रबन्धनतः सरकार, अम मतालय, नई दिल्ली ।		
56 15/84	आदेश से -एल-22011(24)/83-डी-3(बी) तारीख 25-2-34, एम सी क लि गोदावरी खानी, करीग नगर जिला (आ प्र.) के कर्मकार और प्रबन्धनतः भारत सरकार, अम मतालय, नई दिल्ली ।		
57 16/84	आदेश से -एल-22011/26/83-डी-3(बी), तारीख 29-2-34, भारत एन सी क लि, रामगृहापुर, प्रदिलावाद जिला (आ प्र.) के कर्मकार त प्रबन्धनतः सरकार अम मतालय, नई दिल्ली ।		
58 17/84	आदेश से -एल-22012/107/83-डी-3(बी), तारीख 29-2-34, भारत एन सी क लि कोठागुडम डिवीजन, वेकटेगांधी खस्माम जिला (आ प्र.) के कर्मकार और प्रबन्धनतः भारत सरकार, अम मतालय, नई दिल्ली ।		
59 19/94	आदेश से -एल-22012/77/83-डी-3(बी), तारीख 1-3-34 भारत एम सी क लि, रामगृहापुर डिवीजन-2, गोशाली खानी, रुरीम नगर जिला (आ. प्र.) के कर्मकार त प्रबन्धनतः सरकार अम मतालय, नई दिल्ली ।		
60 19/84	आदेश से -एल-22012/117/83-डी-3(बी), तारीख 2-3-34, भारत एम सी क लि, कोठागुडम, डिवीजन, खस्माम (आ प्र.) कर्मकार त प्रबन्धनतः सरकार, अम मतालय, नई दिल्ली ।		
61 20/84	आदेश से -एल-22011/45/83-डी-3(बी) तारीख 13-3-34 भारत एम सी क लि, मत्तामरी डिवीजन, प्रदिलावाद जिला के कर्मकार त प्रबन्धनतः सरकार, अम मतालय, नई दिल्ली ।		
62 21/84	आदेश से -एल-22012(111)/83-डी-3(बी), तारीख 21-3-34 भारत एम सो. क. लि, कोठागुडम, खस्माम जिला (आ प्र.) के पर्मनार त प्रय अन्तर ।		
63 22/84	आदेश से -एल-22012/121/83-डी-3(बी) तारीख भारत --योक्ता-- सरकार, अम मतालय, नई दिल्ली ।		
64 23/94	आदेश से -एल-22011/16/83-डी-3(बी) तारीख 23-3-34 भारत एम सो. क. लि, कोठागुडम, खस्माम जिला (आ प्र.) के पर्मनार अम मतालय, नई दिल्ली ।		--योक्ता--
65 24/84	आदेश से -एल-22011/55/83-डी-3(बी) तारीख 28-3-34 भारत एम सी क लि रामाकृष्णपुर, प्रदिलावाद जिला (आ प्र.) के नर्मादा और प्रबन्धनतः सरकार, अम मतालय, नई दिल्ली ।		
66 25/84	आदेश से -एल-29012/61/83-डी-3(बी) तारीख 3-4-34, भारत ए. पी. माइनिंग वार्षोरेशन, कुहशाफ (आ प्र.) के कर्मकार त प्रबन्धनतः सरकार, अम मतालय, नई दिल्ली ।		
67 26/84	आदेश से -एल-12012/292/83-डी-2(ए) तारीख 4-4-34 भारत भारतीय स्टेट बैंक, हैरगांव के कर्मकार और प्रबन्धनतः सरकार, अम मतालय, नई दिल्ली ।		
68 --	आदेश से -एल-22011/70/83-डी-3(बी) तारीख 23-4-34 भारत एम सी क लि कोठागुडम के कर्मकार त प्रबन्धनतः सरकार, अम मतालय, नई दिल्ली ।		
69 --	आदेश से -एल-22012/118/83-डी-3(बी), तारीख 3-1-34 भारत --योक्ता-- सरकार, अम मतालय, नई दिल्ली ।		
70 --	आदेश से -एल-22012/(112)/83-डी-3(बी) तारीख 3-3-34, एम सी क लि कोठागुडम, डिवीजन के कर्मकार त प्रबन्धनतः सरकार, अम मतालय, नई दिल्ली ।		
71 --	आदेश से -एल-29012/(58)/83-डी-3(बी) तारीख 3-5-34, प्रनियुष्यामा ग्रीगा गरियोजना, हिन्दुस्तान जिक लि, अन्दामा-भारत सरकार, अम मतालय, नई दिल्ली ।		मोन्तु के कर्मकार त प्रबन्धनतः
72 --	आदेश से -एल-22012(128)/93-डी-3(आ) तारीख 3-5-34, एम सी न लि मत्तामरी डिवीजन के कर्मकार और भारत सरकार, अम मतालय, नई दिल्ली ।		प्रबन्धनतः

केन्द्रीय सरकार की लम्हित विविध याचिकाएँ

1	2	3	4
1 आ. वि संख्या 18/71 मे वि या स 11/-/91	आन्ध्र बैंक, मुलान आजार, हैरगांव का प्राप्त- बनाम श्री ने दक्षिणमूर्ति, इमरी लाईन, सम्पत्त तव		नगर गृह-522004 ।
2 आ. वि संख्या 18/71 मे वि या स 118/31	--योक्ता--		बनाम श्री एल पाठ्याराम, गणेश बस्सी, फोटो-गृहम, खस्माप जिला ।
3 आ. वि संख्या 12/81 मे वि या स 32/82	दी ग्राम प्रदेश कोचिरी मजरूर मध गोदावरी बनाम प्रसादीप श्रीकीक इन्ह सी क लि., ग्रामगृहम, चिरीजन-2		ग्रामगृहम, चिरीजन-2
4 आ. वि संख्या 28/81 मे वि या स 104/82	ग्रामधा बैंक का प्रबन्धन, गेम्प ग्रामिष तु गान ग्राम वा माई एव ग्राम, म स 162 याजार, हैरगांव ।		एम वी आई 'सी', सो आई वी फ्रीग्या रेने स्टेगन के पीछे, हैरगांव-500027
5 आ. वि संख्या 28/81 मे वि या स 147/82	--योक्ता--		बनाम श्री वी शानाक्षणा
6 आ. वि संख्या 1/82 मे वि या स 145/92	एम सी. क लि का प्रबन्धन, वेन्वरनो वाम श्री के मालेग झाइवर डिवीजन घोने विकीजन-2, खलमपत्ती (आकवर) प्रदिला-गांव जिला (आ प्र.)		वेन्वरनो विकीजन ।

1	2	3	4
7 घो वि संव्या 1/82 मे वि या से	एस० मी० क० निं०, का प्रबन्धतत्र, बेलमपल्ली डिवीजन-२, बनाम श्री हैरी जान झाइवर डिवीजनल स्टोर्स,		
188/82	बेलमपल्ली (डाकघर), आखिलाबाद, जिला	बेलमपल्ली डिवीजन	
8 वि या स 55/83	(आ०ग्र०) ग्रान्थार्थक, हैदराबाद का प्रबन्धतत्र	बनाम ए० पी लक्ष्मीनारायण एस आर टी 532, जवाहरनगर, विकासपल्ली, हैदराबाद।	
9 यि० गा० यं० 138/83 घो० वि० स० 11/82	एस० सी० क० निं० 'गोदावरी खानी' का प्रबन्धतत्र	बनाम के० मुधाकर रेडी	
10 —यथोक्त— 139/83	—यथोक्त—	बनाम श्री० रामाराव	
11 —यथोक्त— 140/83	—यथोक्त—	बनाम श्राई० पी० वस्म	
12 —यथोक्त— 141/83	—यथोक्त—	बनाम श्री० सुर्य प्रकाश	
13 —यथोक्त— 142/83	—यथोक्त—	बनाम श्री० बैकटैया	
14 —यथोक्त— 143/83	—यथोक्त—	बनाम श्राई० ए० खृस्ताराव	
15 —यथोक्त— 144/83	—यथोक्त—	बनाम श्री० संज॒ ठं वंद्या	
16 —यथोक्त— 145/83	—यथोक्त—	बनाम के० वीरगच्छामी	
17 —यथोक्त— 146/83	—यथोक्त—	बनाम ए० राजेश्वर राव	
18 —यथोक्त— 147/83	—यथोक्त—	बनाम श्री० पेहू राजू	
19 —यथोक्त— 148/83	—यथोक्त—	बनाम श्री० या० संत्यगारेयण	
20 —यथोक्त— 149/83	—यथोक्त—	बनाम शे० मर्लीया	
21 —यथोक्त— 150/83	—यथोक्त—	बनाम श्री० राजेश्वरीपाल रेडी	
22 —यथोक्त— 151/83	—यथोक्त—	बनाम श्री० कल्णा दाम	
23 —यथोक्त— 152/83	—यथोक्त—	बनाम श्री० वेंकटी	
24 —यथोक्त— 153/83	—यथोक्त—	बनाम के० बैकटैया	
25 —यथोक्त— 154/83	—यथोक्त—	बनाम के० कौरीया	
26 —यथोक्त— 155/83	—यथोक्त—	बनाम श्री० पी० रेडी	
27 —यथोक्त— 156/83	—यथोक्त—	बनाम शौ० किशन राव	
28 —यथोक्त— 157/83	—यथोक्त—	बनाम श्री० कौमारैया	
29 —यथोक्त— 158/83	—यथोक्त—	बनाम ए० वीरगमलू	
30 —यथोक्त— 159/83	—यथोक्त—	बनाम शे० नारायण रेडी	
31 —यथोक्त— 160/83	—यथोक्त—	बनाम श्री० रामचन्द्र रेडी	
32 —यथोक्त— 161/83	—यथोक्त—	बनाम ए० नरसीया	
33 —यथोक्त— 162/83	—यथोक्त—	बनाम ए० रामनारायण	
34 —यथोक्त— 163/83	—यथोक्त—	बनाम ए० वेलैया	
35 —यथोक्त— 164/83	—यथोक्त—	बनाम सी० रामैया	
36 —यथोक्त— 165/83	—यथोक्त—	बनाम टी० भवगायण, म० स० 16-1-524/ए	
37 —यथोक्त— 166/83	—यथोक्त— 30/82 ग्रान्थार्थक हैदराबाद का प्रबन्धतत्र	बैदाबाद, हैदराबाद।	
38 —यथोक्त— 169/83	—यथोक्त— 1/82 एस० मी० क० निं० बेलमपल्ली, प्रदिलाबाद जिला का प्रबन्धतत्र	बनाम पी० रम्पू, झाइवर, मन स्टोर्स, एस० सी० क० निं०, बेलमपल्ली, डिवीजन 2, बेलमपल्ली बनाम श्री जी० श्रीनिवासगत, झाइवर, मेन स्टोर्स, एस० सी० क० निं०, बेलमपल्ली, डिवीजन, 2 बेलमपल्ली (डाकघर) अदिलाबाद।	
39 —यथोक्त— 170/83	—यथोक्त— 2/82	—यथोक्त—	बनाम कर्मकार जिनका प्रतिनिधित्व कीस मैमिकल्स काप्टेन्स बैकरी यूनियन (उपायक्ष) करती ॥
40 —यथोक्त— 37/94	—यथोक्त— 2/82	एस० मी० क० निं० बेलमपल्ली का प्रबन्धतत्र	बनाम सी० सरैया मार्केट श्री० विधापती
41 —यथोक्त— 39/94	—यथोक्त— 12/92	एस० मी० क० निं०, करीम मगर जिला का प्रबन्धतत्र	बनाम शार० के० शोमानी, मार्केट श्रीमती श्री० वी० मारा भाई, शारीरिक निवेशक, 11-2-37 उद्धाद स्ट्रीट, पिठापुरम् ।
42 —यथोक्त— 58/84	—यथोक्त— 31/82 ग्रान्थार्थक, हैदराबाद का प्रबन्धतत्र	—यथोक्त—	बनाम श्री मन्तु कुमार मुख्याजी, 1, कटीपाडा गुडा गोड, नमरी बागान दम-दम नगर ज्ञान कलकाता-28
43 —यथोक्त— 59/84	—यथोक्त— 30/83	—यथोक्त—	बनाम के० मुष्टारक र रेडी
44 —यथोक्त— 65/84	—यथोक्त— 11/82	एस० मी० क० निं०, गोदावरी खानी का प्रबन्धतत्र	
	—यथोक्त— 138/83		

1	2	3	4
45.	विंया० सं० ६६/८१, ग्री० विंया० ११/८२	प्रम० गो० क० वि०, गो० श्री० श्री० का० प्रद्वन्द्वी०	बनाम चौ० रामा राव
	—यथोक्त— १०/८३		
46.	—यथोक्त— ६७/८४	—यथोक्त—	बनाम ग्राहि० धी० वस्तु
	—यथोक्त— १४०/८३		
47.	—यथोक्त— ६८/८४	—यथोक्त—	बनाम धी० सूर्य प्रकाश
	—यथोक्त— १४१/८३		
48.	—यथोक्त— ६९/८४	—यथोक्त—	बनाम धी० वेङ्कटैया
	—यथोक्त— १४२/८३		
49.	—यथोक्त— ७०/८४	—यथोक्त—	बनाम ग्राहि० एन० काल्या राव
	—यथोक्त— १४३/८३		
50.	—यथोक्त— ७१/८४	—यथोक्त—	बनाम धी० मंजीवैया
	—यथोक्त— १४४/८३		
51.	—यथोक्त— ७२/८४	—यथोक्त—	बनाम कौ० वीरा श्वामी
	—यथोक्त— १४५/८३		
52.	—यथोक्त— ७३/८४	—यथोक्त—	बनाम एम० राजेश्वर राव
	—यथोक्त— १४६/८३		
53.	—यथोक्त— ७४/८४	—यथोक्त—	बनाम धी० पोठ गजू
	—यथोक्त— १४७/८३		
54.	—यथोक्त— ७५/८४	—यथोक्त—	बनाम चौ० चौ० मध्यनारायण
	यथोक्त १४८/८३		
55.	ग्री० क० ७६/८४	यथोक्त .	बनाम ज० मलैया
	यथोक्त ११०/८३		
56.	विंया० सं० ७७/८४	—यथोक्त—	बनाम धी० राजगोपाला रेडी
	—यथोक्त— १५०/८३		
57.	—यथोक्त— ७८/८४	—यथोक्त—	बनाम धी० कल्या शाम
	—यथोक्त— १५१/८३		
58.	—यथोक्त— ७९/८४	—यथोक्त—	बनाम धी० वेंकटी
	—यथोक्त— १५२/८३		
59.	—यथोक्त— ८०/८४	—यथोक्त—	बनाम कौ० वेंकटीया
	—यथोक्त— १५३/८३		
60.	—यथोक्त— ८१/८४	—यथोक्त—	बनाम कौ० कहैया
	—यथोक्त— १५४/८३		
61.	—यथोक्त— ८२/८४	—यथोक्त—	बनाम चौ० परी रेडी
	—यथोक्त— १५५/८३		
62.	—यथोक्त— ८३/८४	—यथोक्त—	बनाम धौ० किशन राव
	—यथोक्त— १५६/८३		
63.	—यथोक्त— ८४/८४	—यथोक्त—	बनाम धी० कोमारैया
	—यथोक्त— १५७/८३		
64.	—यथोक्त— ८५/८४	—यथोक्त—	बनाम ए० शीरामलू
	—यथोक्त— १५८/८३		
65.	—यथोक्त— ९६/८४	—यथोक्त—	बनाम कौ० नारायण रेडी
	—यथोक्त— १५९/८३		
66.	—यथोक्त— ९७/८४	—यथोक्त—	बनाम चौ० शामश्वारा रेडी
	—यथोक्त— १६०/८३		
67.	—यथोक्त— ९८/८४	—यथोक्त—	बनाम एम० मरैया
	—यथोक्त— १६१/८३		
68.	—यथोक्त— ९९/८४	—यथोक्त—	बनाम एन० रामनारायण
	—यथोक्त— १६२/८३		
69.	—यथोक्त— १००/८४	—यथोक्त—	बनाम जी० धी० मध्यनारायण
	—यथोक्त— १६३/८३		
70.	—यथोक्त— १०१/८४	—यथोक्त—	बनाम ए० मैलैया
	—यथोक्त— १६४/८३		
71.	—यथोक्त— १०२/८४	—यथोक्त—	बनाम धी० रामैया
	—यथोक्त— १६५/८३		

[सं० एम० ११०१५(३)/८४-धी०-४(धी०)]

New Delhi, the 25th June, 1984

ORDER

S.O.2626.—Whereas the industrial disputes specified in the Schedule hereto annexed are pending before Shri M. Srinivasa Rao, the Presiding Officer, Industrial Tribunal, Hyderabad.

And whereas the services of Shri M. Srinivasa Rao are no longer available:

Now, therefore, in exercise of the powers conferred by section 7A read with sub-section (ii) of section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, the Presiding Officer of which shall be Shri I. Pandu Rangarao with headquarters at Hyderabad and withdraws the proceedings in relation to the dispute pending before the said Shri M. Srinivasa Rao, Presiding Officer, Industrial Tribunal, Hyderabad and transfers the same to Shri I. Pandu Rangarao Presiding Officer Industrial Tribunal, Hyderabad, with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

Sr. I.D.No. No.	Number and date of the Order of the Government of India, Ministry of Labour, New Delhi.	Name of the Parties
1	3	4
1. 8/80	No. L-21011(18)/79-D.IV(B) dated 7-7-1980	Workmen and the management of Signareni Collieries Co. Ltd., Yellandu Khammam Distt. (AP)
2. 14/80	No. L-12011(47)/79-D. II(A) dated 3-10-80	Workmen and the management of Syndicate Bank and 10 other Banks.
3. 17/81	No. L-12011/41/80-D. II(A) dated 30-7-1981.	Workmen and the management of State Bank of India, Hyderabad.
4. 1/82	No. L-21012(5)/81-D. IV(B) dated 15-1-1982	Workmen & the management of M/s. S.C.Co. Ltd., Bellampalli area, Adilabad Distt. (AP)
5. 2/82	No. L-21011(13)/81-D. IV(B) dated 2-2-1982	Workmen & the management of S.C. Co. Ltd., Bellampalli.
6. 5/82	No. L-21012(2)/81-D. IV(B) dated 18-1-1982	Workmen & the management of S.C.C. Ltd., Mandamari & Ramakrishnapur Area, Adilabad Distt.
7. 6/82	No. L-21011(15)/81-D. IV(B) dated 23-1-82	Workmen & the management of S.C.Co. Ltd., Ramagundam Divn. II Godavari-Khani, Karimnagar Distt. (AP)
8. 7/82	No. L-21011(10)/81-D. IV(B) dated 15-2-1982	Workmen & the management of M/s. Singareni Collierics Co. Ltd., Bellampalli.
9. 10/82	No. L-21012(10)/81-D.D.IV(B) dated 20-2-1982	Workmen & the management of S.C. Co. Ltd., Kothagudem, Khammam Distt. (AP).
10. 11/82	No. L-21011(14)/81-D.IV(B) dated 20-2-1982	Workmen & the management of S.C.C. Ltd., Godavarikhani, Karimnagar, District (AP).
11. 12/82	No. L-21011(1)/82-D. IV(B) dated 27-2-82	Workmen & the management of M/s. S.C.Co. Ltd., Ramagundam Divn. II.
12. 13/82	No. L-12012(183)/81-D. II(A) dated 3-3-82	Workmen & the management of State Bank of India.
13. 14/82	No. L-29011(3)/82-D. III(B) dated 20-3-82	Workmen & the management of M/s. Barium Chemicals Limited, Kotegudem, Khammam District (AP)
14. 15/82	No. L-34012(3)/81-D. IV(A) dated 23-3-82	Workmen & the management of Visakhapatnam, Port Trust, Visakhapatnam.
15. 16/82	No. L-21011(16)/81-D. IV(B) dated 23-3-82	Workmen & the management of S.C.Co. Ltd., Kothagudem, Khammam Distt. (AP)

1	2	3	4
16.	17/82	No. L-42011(7)/81-FCI/D. IV(A) dated 26-3-82	Workmen & management of Food Corporation of India, Nellore Distt. (AP)
17.	18/82	No. L-21011(20)/81-D. IV(B) dated 13-4-82	Workmen & the management of S.C.Co. Ltd., Kothagudem, Khammam Distt. (AP).
18.	23/82	No. L-34011(4)/82-D. IV(A) dated 9-6-82	Workmen & the management of Visakhapat- nam Port Trust, Visakhapatnam.
19.	25/82	No. L-34012/2/82-D. IV(A) dated 23-6-82	Workmen & the management of Visakhapat- nam Port Trust, Visakhapatnam.
20.	26/82	No. L-12011/8/81-D. II(A) dated -6-82	Workmen & the management of Nagarjuna Gramapana Bank, Khammam, Andhra Pra- desh.
21.	28/82	No. L-34011/2/82-D. IV(A) dated -7-82	Workmen & the management of Visakhapat- nam Port Trust, Visakhapatnam.
22.	30/82	No. L-12012/305/81-D. II(A) dated 20-7-82	Workmen & the management of Andhra Bank Hyderabad.
23.	33/82	No. L-34011/1/82-D. IV(A) dated 23-7-82	Workmen & the management of Visakhapat- nam Port Trust, Visakhapatnam.
24.	33/82	No. L-42011/27/81-D. IV(A) dated 13-5-82 and S-11025(?)/82-D. IV(B) dated 17-7-82.	Workmen & the management of Food Corpo- ration of India, Nalgonda.
25.	35/82	No. L-21012(8)/82-D. IV(B) dated 3-8-82	Workmen & the management of S.C.Co. Ltd. Mandamari Divn. Adilabad Distt. (AP).
26.	36/82	No. L-42011/29/81-D. IV(A) dated 21-5-82 and No. L-42011/29/81-D. IV(A) dated 25-8-82	Workmen & the management of Food Corpo- ration of India, Nellore.
27.	38/82	No. L-42011(11)/82 FCI/D. IV(A) dated 8-10-82	Workmen & the management of Food Corpo- ration of India, Kurnool.
28.	39/82	No. L-34011(10)/82-D. IV(A) dated 14-10-82	Workmen & the management of Visakhapat- nam Port Trust, Visakhapatnam.
29.	41/82	No. L-42012/12/82/FCI/D. IV(A) dated 16-11-82	Workmen & the management of Food Corpo- ration of India, Nellore (AP)
30.	1/83	No. L-12012/161/79-D. II.A dated 15-1-81 and No. L-12012/161/79-D. II. A dated 4-1-83	Workmen & the management of State Bank of of Hyderabad.
31.	11/83	No. L-21011/6/81-D. IV(B) dated 10-6-81	Workmen & the management of S.C.Co. Ltd., Bellampalli, Adilabad Distt. (AP).
32.	9/83	Order No. L-22011/104/82 D.III(B) dt. 21-6-83 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co., Ltd., Adilabad Distt. (AP)
33.	11/83	Order No. L-22011/5/83-D. III(B) dt. 22-6-83 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Ramagundem Divn., Karimnagar Distt. (AP)
34.	12/83	Order No. L-22012(22)/83D. III(B) dt. 22-6-83 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Ramagundam Divn., Karimnagar Distt. (AP)

1	2	3	4
35.	13/83	Order Nos. L-12012/268/82 D.II(A) dt. 28-6-83 and No. L-12012(263)/82-D. II(A). dt. 22-7-83 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of State Bank of India Visakhapatnam
36.	14/83	Order Nos. L-12012/263/82 D.II(A), dt. 28/30-6-83 and No. L-12012(63)/82-D. II(A) dt. 22-7-83 from Govt. of India Ministry of Labour, New Delhi.	Workmen and the management of State Bank of India, Hyderabad.
37.	16/83	Order No. L-22011/105/82-D. III(B) dt. 23-8-83 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Kothagudem.
38.	17/83	Order No. L-22011/30/82-D. III(B) dt. 8-83, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co., Ltd., Bellampalli
39.	19/83	Order No. L-22011/30/82-D. III (B) dt. 8-83, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co., Ltd., Mandamari Divn. Adilabad Dist. (AP)
40.	20/83	Order No. L-12012/2/83-D. II(A) dt. 8-83, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.B.I. Hyderabad.
41.	24/83	Order No. L-42012(60)/82-D.II(B) IV-B dt. 15-10-83, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of Food Corporation India Nizambad (AP).
42.	27/83	Order No. L-12012(97)/83-D. II(A) dt. 17-11-83, from Govt. of India Ministry of Labour, New Delhi.	Workmen and the management of S.B.I. Vijayawad.
43.	30/83	Order No. L-22011/114/82-D.III(B) dt. 19-12-83 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co., Ltd., Godavarikhani, Karimnagar District (AP)
44.	31/83	Order No. L-16011/1/83-D.II(B), dt. 19-12-83 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of India Govt. Minit Hyderabad and Security Printing Press, Hyderabad.
45.	2/84	Order No. L-12012/187/83-D. II(A) dt. 28-12-83, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.E.I. Region II, Vijayawada.
46.	4/84	Order No. L-22012(13)/83-D. III(B) dt. 1-84, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Kothagudem Khammam Dist. (AP)
47.	5/84	Order No. L-12012/270/83-D. II(A) dt. 9-2-84, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.B.I. Hyderabad.
48.	6/84	Order No. L-22011/7/83-D.III(B) dt. 10-2-84, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Ramagundam Divn. Godavarikhani Karimnagar Dist. (AP)
49.	7/84	Order No. L-12012/95/83-D.III(B), dt. 10-2-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Kothagudem, Khammam.
50.	8/84	Order No. L-43011(6)/83-D. III(B) dt. 3-2-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of Mailaram Copper Project, A.P. Mining Corporation Ltd., Mailaram, Khammam Dist.
51.	9/84	Order No. L-12012/18/83-D. IV(A) dt. 6-2-84, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of New Bank of India, Karimnagar Branch (AP)

1	2	3	4
2.	10/84	Order No. L-17012(11)/83-D.IV(A) dt. 6-2-84, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of L.I.C. of India Machilipatnam.
3.	11/84	Order No. L-17012(10)/83-D.IV(A) dt. 6-2-84, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of L.I.C. of India Machilipatnam.
4.	12/84	Order No. L-012/101/83-D. III(B) dt. 14-2-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Kothagudem, Khammam Dist. (AP)
5.	13/84	Order No. L-12/12/52/83-D. II(A) dt. 14-2-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of Syndicate Bank Hyderabad.
56.	15/84	Order No. L-20011(4)/83-D. III(B) dt. 25-2-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Godavari khani, Karimnagar Dist.(AP)
57.	16/84	Order No. 2011/26/83-D. III(B) dt. 28-2-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Ramakrishna pur, Adilabad Dist. (AI)
58.	17/84	Order No. L-22012/109/83-B.III(B) dt. 26-2-84 from Govt. of India, Ministry of Labour, New Delhi	Workmen and the management of S.C. Co. Ltd., Kothagudem Division, Venkatesh- khani, Khammam Dist. (AP)
59.	18/84	Order No. L-2012/77/83-D. III(B), dt. 1-3-84, from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Ramagundam Division-II Godavari- khani, Karimnagar Dist. (AP)
60.	19/84	Order No. L-2012/117/83-D. III(B) dt. 7-3-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co., Ltd., Kothagudem, Divn, Khammam (AP)
61.	20/84	Order No. L-2011/45/83-D. III(B), dt. 13-3-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C. Co. Ltd., Mandamari Divn. Adilabad Dist.
62.	21/84	Order No. L-22012(111)/84-D.III(B) dt. 21-3-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management S.C.Co. Ltd., Kothagudem Khammam Dist. (AP)
63.	22/84	Order No. L-2012/121/83-D. III(B) dt. Nil from Govt. of India. Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Kothagudem Khammam Dist. (AP)
64.	23/84	Order No. L-2011/46/83-D. III(B) dt. 23-3-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Kothagudem Khammam Dist. (AP)
65.	24/84	Order No. L-2011/55/83-D. III(B), dt. 28-3-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C. Co. Ltd., Ramakrishna pur, Adilabad Dist. (AI)
66.	25/84	Order No. L-29012/61/83-D. III(B) dt. 3-4-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of A.P. Mining Corporation, Cuddapah (AP)
67.	26/84	Order No. L-1012/19/83-D. II(A) dt. 4-4-84 from Govt. India, Ministry of Labour, New Delhi.	Workmen and the management State Bank of India, Hyderabad.
68.	—	Order No. L-22011/70/83-D. III(B) dt. 23-4-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C.Co. Ltd., Kothagudem.

1	2	3	4
60.	—	Order No. L-22012/118/83-D.III(B) dt. 3-4-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C. Co. Ltd., Kothagudem.
70.	—	Order No. L-22012(112)/83-D.III(B) dt. 2-3-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of S.C. Co. Ltd., Kothagudem Division.
71.	—	Order No. L-29012(58)/83-D.III(B) dt. 3-5-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen and the management of Agnigurada Lead Project, Hindustan Zinc Ltd., Banda- lamottu.
72.	—	Order No. L-22012(128)/83-D.III(B) dt. 8-5-84 from Govt. of India, Ministry of Labour, New Delhi.	Workmen & the management of S.C. Co. Ltd., Mandamari Division.

CENTRAL GOVERNMENT'S PENDING MISCELLANEOUS PETITIONS

1. M.P.No. 116/81 in I.D.No. 18/71	The Management of Andhra Bank, Sultan Bazar, Hyderabad	Vs. Mr. J. Dakshina Murty 1nd Line, Sampathnagar Guntur-524004.
2. M.P.No. 118/81 in I.D.No. 18/71	The Management of Andhra Bank, Sultan Bazar, Hyderabad.	Vs Shri L. Pandur Rao, Ganesh Basti, Kothagudem, Khammam Dist.
3. M.P.No. 82/83 in I.D.No. 13/82	The A.P. Colliery Mazdoor Sangh, Goda- varikhnai, Karimnagar District.	Vs. The Divn. Superintendent, S.C. Co. Ltd., Ramagudem Divn. II.
4. M.P.No. 104/82 in I.D.No. 28/81	The Management of Andhra Bank Central Office, Sultan Bazar, Hyderabad.	Vs. Sri I.H. Khan H. No. 162 SPI 'C' C.I.B. behind Kachiguda Rly. Station, Hyderabad-500027.
5. M.P.No. 142/82 in I.D. No. 28/81	The Management of Andhra Bank, Central Office, Sultan Bazar, Hyderabad.	Vs. Mr. P. Balakrishna
6. M.P.No. 145/82 in I.D.No.1/82	The Management of S.C. Co. Ltd., Bella- mpalli Divn. II, Bellampalli (PO) Adila- bad District (AP)	Vs. Sri K. Malleth, Driver, Div. Sto.es, Bellampalli, Divn.
7. M.P. No. 188/82 in I.D.No. 1/82	The Management of S.C. Co. Ltd., Bella- mpalli Divn. II, Bellampalli (PO) Adila- bad District (AP)	Vs. Sri Harry John., Driver Divl. Stores, Bellampalli Divn.
8. M.P. No. 55/83	The Management of Andhra Bank, Hyde- abad.	Vs. H.P. Lakshminarayana, S.R.T. 537, Jawaharnagar Chikkadapalli, Hyde- abad.
9. M.P.No. 138/83 in I.D. 11/82	The Management of S.C. Co. Ltd., Godava- varikhani.	Vs. K. Sudhakar Reddy.
10. M.P.No. 139/83 in I.D. No. 11/82	-do-	Vs. V. Rama Rao
11. M.P. No. 140/83 in I.D. No. 11/82	-do-	Vs. I.P. Watts
12. M.P.No. 141/83 in I.D. No. 11/82	-do-	Vs. D. Suryaprakash
13. M.P. No. 142/83 in I.D. No. 11/82	-do-	Vs. Ch. Venkataiah
14. M.P. No. 143/83 in I.D. No. 11/82	do-	Vs. Y.L. Khantha Rao
15. M.P. No. 144/83 in I.D. No. 11/82	-do-	Vs. D. Sanjeevajah
16. M.P. No. 145/83 in I.D. No. 11/82	-do-	Vs. K. Veeraswamy
17. M.P. No. 146/83 in I.D. No. 11/82	-do-	Vs. S Rajeshwara Rao

1 2

3

4

18. M.P. No. 147/83 in I.D. No. 11/82	The Management of S.C.Co. Ltd., Godavarikhani	Vs. V.Pothu Raju.
19. M.P. No. 148/83 in I.D. No. 11/82	-do-	Vs. V.V. Satyanarayana
20. M.P. No. 149/83 in I.D. No. 11/82	-do-	Vs. J. Malliah
21. M.P. No. 150/83 in I.D. No. 11/82	-do-	Vs. V. Rajagopal Reddy
22. M.P.No. 151/83 in I.D. No. 11/82	-do-	Vs. B. Kannadas
23. M.P. No. 152/83 in I.D. No. 11/82	-do-	Vs. E. Venkati
24. M.P. No. 153/83 in I.D.No. 11/83	-do-	Vs. K. Venkataiah
25. M.P. No. 154/83 in I.D. No. 11/82	-do-	Vs. K. Kanakaiah
26. M.P. No. 155/83 in I.D. No. 11/82	-do-	Vs. B. Papi Reddy
27. M.P. No. 156/83 in I.D. No. 11/82	-do-	Vs. Ch. Kishan Rao
28. M.P. No. 157/83 in I.D. No. 11/82	-do-	Vs. D. Komaraiah
29. M.P. No. 158/83 in I.D. No. 11/82	-do-	Vs. A. Veeramallu
30. M.P. No. 159/83 in I.D. No. 11/82	-do-	Vs. K. Narayana Reddy
31. M.P. No. 160/83 in I.D. No. 11/82	-do-	Vs. B. Ramachandra Reddy
32. M.P. No. 161/83 in I.D. No. 11/82	-do-	Vs. M. Narasaiah
33. M.P. No. 162/83 in I.D.No. 11/82	-do-	Vs. N. Ramanarayana
34. M.P. No. 163/83 in I.D. No. 11/83	-do-	Vs. G.V. Satyanarayana.
35. M.P. No. 164/83 in I.D. No. 11/82	-do-	Vs. A. Yellaiah
36. M.P. No. 165/83 in I.D. No. 11/82	-do-	Vs. C. Ramaiah
37. M.P. No. 166/83 in I.D.No. 30/82	The Management of Andhra Bank Hyderabad	Vs. Sri T. Bhavarayana H.No. 16-1-524/A, Saidabad, Hyderabad.
38. M.P.No. 169/83 in I.D. No. 1/82	The Management of S.C. Co. Ltd., Bellampalli Adilabad Dist.	Vs. P. Ramulu, Driver, Main Stores, S.C. Co. Ltd., Bellampalli Divn. II, Bellampalli.
39. M.P. No. 170/83 in I.D. No. 1/82	-do-	Vs. Sri G. Srinivasa Rao, Driver, Main Stores, S.C.Co. Ltd., Bellampalli Divn. II, Bellampalli (P.O.) Adilabad.

1

2

3

4

40. M.P. No. 36/84 in I.D.No. 2/82	The Management of S.C. Co. Ltd., Bellam-palli	Vs. Workmen represented by the Coa Chemicals Complex Workers Union (Vice President).
41. M.P. No. 38/84 in I.D.No. 12/82	The Management of S.C. Co. Ltd , Karim-nagar Dist.	Vs C Saraiyah, S.C.Co, Ltd., C/o G. Bik-shapathy.
42. M.P. No. 58/84 in I.D.No. 30/82	The Management of Andhra Bank, Hydera-bad.	Vs. R.K. Somani C/o Mrs. B.V. Sarah Bhai, Physical Director, 11-2-37, Ustad St., Pithapuram.
43. M.P. No. 59/84 in I.D.No. 30/82	-do-	Vs. Mr. Manthu Kumar Mukherjee, 1 Katipada Guha Road, Nursery Bagan Dum Dum Nagar, Bazar Calcutta-28.
44. M.P. No. 65/84 in M.P. No. 138/83 in I.D. No. 11/82	The Management of S.C.Co. Ltd., Goda-Varikhāni.	Vs. K. Sudhakar Reddy
45. M.P. No. 66/84 in M.P. No. 139/83 in I.D. No. 11/82	-do-	Vs. V. Rama Rao.
46. M.P. No. 67/84 in M.P. No. 140/83 in I.D. No. 11/82	-do-	Vs. I.P. Watts
47. M.P. No. 68/84 in M.P. No. 141/83 in I.D. No. 11/82	-do-	Vs. D. Surya Prakash
48. M.P. No. 69/84 in M.P. No. 142/83 in I.D. No. 11/82	-do-	Vs. Ch. Venkataiah
49. M.P. No. 70/84 in M.P. No. 143/83 in I.D. No. 11/82	-do-	Vs. Y.L. Kantha Rao.
50. M.P. No. 71/84 in M.P. No. 144/83 in I.D. No. 11/82	-do-	Vs. D. Sanjeevaiah
51. M.P. No. 72/84 in M.P. No. 145/83 in I.D. No. 11/82	-do-	Vs. K. Veera Swamy
52. M.P. No. 73/84 in M.P. No. 146/83 in I.D. No. 11/82	-do-	Vs. S. Rajeswara Rao.
53. M.P. No. 74/84 in M.P. No. 147/83 in I.D. No. 11/82	-do-	Vs. V. Pothu Raju
54. M.P. No. 75/84 in M.P. No. 148/83 in I.D. No. 11/82	-do-	Vs. V.V. Satyanarayana
55. M.P. No. 76/84 in M.P. No. 149/83 in I.D. No. 11/82	-do-	Vs. J. Mallaiah
56. M.P. No. 77/84 in M.P. No. 150/83 in I.D. No. 11/82	-do-	Vs. V. Rajagopala Reddy

1	2	3	4
57.	M.P.No. 78/84 in M.P.No. 151/83 in I.D.No. 11/82	The Management of S. C. Co. Ltd., Godavarkhani	Vs. B. Karunadass.
58.	M.P.No. 79/84 in M.P.No. 152/83 in I.D.No. 11/82	-do-	Vs. E. Venkati
59.	M.P.No. 80/84 in M.P.No. 153/83 in I.D.No. 11/82	-do-	Vs. Y. Venkataiah
60.	M.P.No. 81/84 in M.P.No. 154/83 in I.D.No. 11/82.	-do-	Vs. K. Kanakaiah
61.	M.P.No. 82/84 in M.P.No. 155/83 I.D.No. 11/82	-do-	Vs. B. Papi Reddy
62.	M.P.No. 83/84 in M.P.No. 156/83 in I.D.No. 11/82	-do-	Vs. Ch. Kishan Rao
63.	M.P.No. 84/84 in M.P.No. 157/83 in I.D.No. 11/82	-do-	Vs. D. Komaraiah
64.	M.P.No. 85/84 in M.P.No. 158/83 in I.D.No. 11/82	-do-	Vs. A. Veeramallu
65.	M.P.No. 86/84 in M.P.No. 159/83 in I.D.No. 11/82	-do-	Vs. K. Narayana Reddy
66.	M.P.No. 87/84 in M.P.No. 160/83 in I.D.No. 11/82	-do-	Vs. B. Ramachandra Reddy
67.	M.P.No. 88/84 in M.P.No. 161/83 in I.D.No. 11/82	-do-	Vs. M. Narasaiah
68.	M.P.No. 89/84 in M.P.No. 162/83 in I.D.No. 11/82	-do-	Vs. N. Ramanarayana
69.	M.P.No. 90/84 in M.P.No. 163/83 in I.D.No. 11/82	-do-	Vs. G.V. Satyanarayana
70.	M.P.No. 91/84 in M.P.No. 164/83 in I.D.No. 11/82	-do-	Vs. A. Yellaiah
71.	M.P.No. 92/84 in M.P.No. 165/83 in I.D.No. 11/82/	-do-	Vs. C. Ramaiah

नई दिल्ली, 7 जुलाई 1984

प्राप्ते ।

का० आ० 2617—केन्द्रीय मरकार की राय है कि उसमें उपचाह प्रनुभूति में विनियोग विषय के बारे में मैमर्से सिगरेटी कॉलिंगरीज कम्पनी लिमिटेड, बेलमपल्ली खिकीवन-1 में सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विवादात है,

और केन्द्रीय मरकार उक्त विवाद का न्याय-निर्णयन के लिए निर्देशित करना बाल्फीय तरीकी है;

अब, केन्द्रीय मरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के लंड (ष) द्वारा प्रदत्त शब्दों का प्रयोग करने से हुआ, एक औद्योगिक अधिकरण गठित करती है जिसके पीछामें अधिकारी श्री आर्ह पाण्डु रंग गव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण द्वारा न्यायनिर्णयन के लिए निर्देशित करनी है।

प्रनुभूति

“क्या मैमर्से सिगरेटी कॉलिंगरीज कम्पनी लिमिटेड के प्रबन्धतंत्र की श्री मैग्नोलिया गट्टू टिल वर्कशॉप बेलमपल्ली को उसकी आयु निर्धारित करने के निये प्राप्त निर्धारण समिति विकसना बोर्ड के गाम भेजते से इनकार करने की कार्यवाही न्यायोचित है? यदि नहीं, तो वह किये गए नोटों का वर्कावार है?”

[संक्षण एव-22011(102)/82-डी-3 (बी/डी-4(बी))]

New Delhi, the 7th July, 1984

ORDER

S.O. 2627.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the M/s. Singareni Collieries Co. Ltd., Bellampalli Divn. I and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, Whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Ranga Rao shall be the Presiding Officer, with Headquarters at Hyderabad, and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the management of M/s. Singareni Collieries Co. Ltd. in refusing to refer Shri Merabonia Sattu, Tyndal, Workshop, Bellampalli to the Age Determination Committee/Medical Board for assessing his age is justified? If not, to what relief he is entitled?”

[No. I-22011(102)/82-D.III.B/D.IV B]

New Delhi, the 25th July, 1984

S.O. 2628.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Chandigarh in the industrial dispute between the employers in relation to the management of Food Corporation of India, Chandigarh and their workmen, which was received by the Central Government on the 17th July, 1984.

BEFORE SHRI I.P.VASISHTH, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
CHANDIGARH.

Case No. I.D. 10/84

PARTIES:

Employers in relation to the management of Food Corporation of India, Chandigarh.

AND

Their Workman — Sardara Singh.

APPEARANCES:

For the Employers: — Shri B.L.Latonyi.

For the Workman—Shri O. P. Mehta.

INDUSTRY. Food Corporation of India.

STATE—Punjab.

AWARD

Dated 16th of July, 1984

The Central Govt. Ministry of Labour, in exercise of the powers conferred on them under Section 10(1) (d) of the Industrial Disputes Act, 1947, per their order of I-42012/12/83-D.II (B)/D.IV (B) dated the 15th March, 1984, referred the following Industrial dispute to the Tribunal for adjudication.

“Whether the action of the management of Food Corporation of India in relation to their Hathur Depot, District Ludhiana, in terminating the services of Shri Sardara Singh watchman is justified. If not, to what relief is Shri Sardara Singh entitled.”

2. During the course of hearing the Management agreed to revoke the petitioner's termination provided he was willing to forgo his claim to back wages. The proposition was accepted by the Workman and, as such on taking down the statement of his authorised representative and hearing the parties, I hereby return a No-dispute Award in the following terms which are fair to both of them and in particular to the workman who stands ensured of a gainful employment:

1. The impugned order of termination dated 1-9-1982 stands quashed.

2. As a necessary consequence the petitioner would be re-instated forthwith at his old post on the same terms and conditions of service as were applicable immediately preceding the termination.

3. The intervening period between the aforesaid termination and re-instatement shall be deemed to be a part of continuous service even though he would not be entitled for any wages. To precise, it shall be deemed to have been regularised as of leave without pay.

I. P. VASISHTH, Presiding Officer
[No. I-42012(12)/83-D.II(B)/D.IV(B)/D.V]

Chandigarh.

16-7-1984.

New Delhi, the, 30th July, 1984

S.O. 2629.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Sarubera of Central Coalfields Ltd., P. O. Kaju, Distt. Hazaribagh and their workmen, which was received by the Central Government on the 24th July, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No 2) AT DHANBAD

Reference No 83 of 1981

In the matter of an industrial dispute under S 10(1)(d) of the I D Act, 1947

PARTIES .

Employers in relation to the management of Sarubera Colliery of CCL, District Hazaribagh and their workmen

APPEARANCES

On behalf of the employers Shri R S Murthy, Advocate

On behalf of the workmen Shri S Bose, Secretary
R C M S Union

STATE Bihar INDUSTRY Co I

Dhanbad Dated 18th July 1984

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred on them under Section 10(2)(d) of the I D Act 1947 has referred the following dispute to this Tribunal for adjudication under Order No L-24012(12)/81-D IV(B) dated the 21st December 1981

SCHEDULE

"Whether the action of the management of Sarubera Colliery P O Kuju Distt Hazaribagh in refusing employment to Shri Ramjwan Rai Munshi is justified ? If not to what relief is he entitled ?"

The case of the management is that Sarubera Colliery was taken over by the Central Government under the Coal Mines (Taking over of Management) Ordinance, 1973 w.e.f 31-1-73. There was a small colliery known as Model Dhori Colliery adjacent to Sarubera Colliery. Both these collieries were nationalised w.e.f 1-5-73 and under the Coal Mines (Nationalisation) Act vested in the Coal Mines Authority Ltd. After taking over, Model Dhori Colliery was amalgamated with Sarubera Colliery towards the end of 1973. After take-over many people claimed employment in these two collieries. The erstwhile owners who were maintaining scanty records did not make over their records to the C M A and those which were handed over were found to be totally unreliable. Accordingly, system of screening was adopted which was agreed upon in a meeting with the Trade Union leaders and the then Minister of Steel and Mines on 1-2-73. It was decided that in case a person felt that his case had not been considered by the screening Committee, he was given a right to prefer an appeal against the decision of the screening committee to the Dy Custodian General. The Custodian of these collieries accordingly screened in the persons on the basis of C M P F membership which was the surest indication of employment. The concerned workman Shri Ramjwan Rai was not found a member of CMPF and as such he was not taken in service. The union appearing in these areas were also associated with the said screening. Those who were not screened in but claimed to have been working preferred appeals before the Deputy Custodian General. A Committee consisting of Trade Union leaders of Central Affiliated trade unions and the Deputy Custodian General disposed of the said appeals. The concerned workman never made any appeal and therefore, he was never screened in. After a period of about 3 years in May 1976 the concerned workman raised a dispute before the conciliation Officer Hazaribagh. The conciliation officer fixed 30-8-76 and asked the concerned workman for production of evidence in support of his claim. The concerned workman did not produce any document and also did not appear on the next date fixed in the case. The

conciliation was therefore closed. Then after a period of about 5 years again the concerned workman approached the same ALC(C) Hazaribagh. The management pointed out that the matter had already been closed previously. The ALC(C), however, recommended the case of the concerned workman for reference on the strength of a certificate dated 18-12-80 stated to have been issued by a Mining Sirdar, Overman and a Clerk of the Colliery certifying that the concerned workman had worked as a Munshi in Model Dhori Colliery from 1971 to 1973. The said certificate was absurd as the name of the concerned workman was not found anywhere in the records which was produced by the erstwhile owner and in the CMPF Records. The said certificate was a questionable paper. Moreover, a Mining Sirdar, Overman or a Clerk has no authority to issue any certificate without the consent of the Manager or the Owner. The said certificate was created for the purpose of evidence in this reference. The concerned workman was not in the employment in Model Dhori Colliery or in Sarubera Colliery at any time and as such there is no question of the action of the management being criticised as having refused employment to him. It has been submitted on behalf of the management that the reference is illegal, incompetent and without jurisdiction and the action of the management in resisting the attempt of the concerned workmen to get himself induced as Munshi in Sarubera Colliery was perfectly justified and that the concerned workman is not entitled to any relief.

The case of the concerned workman is that he was employed in Model Dhori Colliery in 1969 as an Underground Munshi. The management of Model Dhori Colliery was taken over by the Central Government along with the non coking coal mines on 31-1-1973 on which date the concerned workman was working in Model Dhori Colliery & Sarubera Colliery which was adjacent to Model Dhori Colliery was also taken over at the same time and after nationalisation w.e.f 1-5-73 both these collieries were amalgamated and named as Sarubera Colliery. The Central Government Representatives seized all records of Model Dhori Colliery at the time of taking over. After the take over and amalgamation of the two collieries the new management terminated the services of the concerned workman without assigning any reason w.e.f 6-5-1973. Neither any notice was served upon the concerned workman nor any reason was assigned for illegal and arbitrary action of the management. The concerned workman immediately approached the colliery manager protesting about his illegal and arbitrary termination to which the manager assured him that all the manpower list were sent to higher authorities at Ranchi and he would be allowed to resume his duties as soon as approval is obtained from Ranchi Office. The job of underground Munshi in a Coal Mine is permanent in which the concerned workman was employed till 5-5-1973. Inspite of all the efforts of the concerned workman for his reinstatement his grievances were not redressed. Thereafter he made representation before the ALC(C) Hazaribagh who took up the matter with the management and held conciliation proceeding but it ended in failure due to adamant attitude of the management. The ALC(C) submitted his report of failure of conciliation to the Central Government and thereafter the reference was made to this Tribunal. It has been submitted on behalf of the workman that the action of the management is not justified and he should be reinstated to the post of underground Munshi of amalgamated Sarubera Colliery with full back wages w.e.f 6-5-73 along with all emoluments.

The main question to be determined in this case is whether the concerned workman was in employment of Model Dhori Colliery when it was taken over and subsequently amalgamated with Sarubera Colliery.

The management has examined one witness Shri S P Rai Project Officer in support of its case. The workman Shri Ramjwan Rai has examined himself as WW 1. The management has also exhibited four items of documents in support of their case. The concerned workman did not produce any document.

WW-1 Shri Ramjwan Rai has stated that he was working as Underground Munshi of Model Dhori Colliery since 21-3-68 till 5-5-73. He has stated that since 31st of January 1973 Model Dhori Colliery and Sarubera Colliery were amalgamated after nationalisation and thereafter it was

known as Sarubara Colliery. He has also stated that the representative of the Central Government had taken all the records of the said colliery after the take over. According to him the Custodian Shri R. D. Ray told him that he will send a second list of screening after sometime but no second list was sent by him. He has stated that no reason has been assigned for stopping his work and he was told that after the second screening list was published all the employees of the erstwhile management will be taken on job. In cross-examination he has stated that he got an appointment letter and that he has handed over the same to Shri S. Bose, Secretary, RCMS Union but it will appear from the record that no such appointment letter was filed in this reference to show that the concerned workman had been appointed and had got an appointment letter from Model Dhori Colliery. He has admitted that he was not contributor of CMPF and as such the criteria which the screening committee had fixed for taking the workmen in service as not available to him. He had admitted that he was a member of RCMS Union and that Shri Raj Nath Pd. Gupta of his union was representing the RCMS Union in the screening committee. He has further stated that he had told Shri Baij Nath Pd. Gupta to take his case with the management and he had taken up his case with the management. The management has filed a list of the workmen who were working in Model Dhori Colliery and the same has been marked as Ext. M-1. On perusal of the said Ext. M-1 it will appear that the concerned workman has not been shown as a Workman of Model Dhori Colliery. Ext. M-2 is the notice dated 4-5-73 which shows that the list of regular/temporary/causal staff and workmen of Model Dhori Colliery was published. It was further stated that the representations of those persons who claimed to be genuine worker and whose names are not included in the published list should reach the office of the Dy. Custodian General within a week and that any appeal made after the expiry of the said period may not be entertained. It is admitted by MW-1 that he did not file any appeal after the publication of the said list which did not include his name. Ext. M-3 and M-4 are wage sheet register of monthly paid staff of Model Dhori Colliery from April, 1971 to June, 1973. It does not contain the name of the concerned workman. These registers show the attendance of the workmen and the amount which was paid to them and contains the signature of L. T. I. in token of having received their wages. Had the concerned workman been a Munshi of Model Dhori Colliery his name must have appeared in the register Ext. M-3 which is of the period prior to take over. The non-inclusion of the name of the concerned workman in these registers show that he was not in employment of Model Dhori Colliery at the time of take over.

MW-1 was working in Gidi-A Colliery of NCDC as Asstt. Manager in January, 1973 and was deputed to West Bokaro Group of Collieries to help the Custodian on 31-1-73 to take over the colliery. He has stated that Shri R. D. Raj was the Custodian and that he worked till June, 1973 along with Custodian. He has stated that the model Dhori Colliery was one of the Colliery of West Bokaro Group of Collieries. He has stated that he screened the workers of Model Dhori Colliery. According to him there was no Form B Register in Model Dhori Colliery and there was also no attendance register. According to him the union representatives appearing in that Colliery were associated during the screening of the workers and thereafter the screening list was published by the Custodian. He has proved the photostat copy of the screening list Ext. M-1. He has also proved the notice Ext. M-2. The photostat copy was kept on the record in evidence after the original screening list was produced and was compared in the Court. MW-1 has stated that the Wage sheet register of monthly rated employees marked Ext. M-3 was taken into account at the time of screening. Ext. M-4 is the Wage sheet Register of monthly rated employees after the take over of Model Dhori Colliery for the period of April, 1973 to June, 1973. As already stated the name of the concerned workman does not appear either in Ext. M-3, Ext. M-4 or Ext. M-1. He has stated that underground Munshi is a monthly paid worker and as such his name ought to have been in the above wage sheet register. He has stated that the concerned workman did not make any claim before the screening committee which is admitted. He has stated that there was a provision of appeal against the published list of the screening committee and that the Dy. Custodian Shri K. Rai was the appellate

authority for the screening committee. Admittedly, the concerned workman did not file any appeal before the Dy. Custodian General against the non-inclusion of his name in the screening list. The concerned workman did not examine any witness to show that he was actually working as underground Munshi in Model Dhori Colliery at the time of take over. The evidence discussed above will show that there is nothing on the record to show that the concerned workman ever worked as Underground Munshi or in any other capacity in the Model Dhori Colliery at the time of take over.

It will appear from the W. S. of the management that the concerned workman had filed a certificate under the signature of Mining Sirdar, Overman and a Clerk that he was working as Munshi in No. 7 Incline since 1971 to 5-5-1973. The concerned workman has neither exhibited the said certificate nor he examined any of the three persons who had granted him the said certificate. Moreover, they were not competent persons to issue such certificate in respect of the employment of the concerned workman. On personal of the said certificate which is on the record of the ALC(C) it will appear that the certificate was issued on 8-12-80 and it is clear that this was created for the purpose of evidence before the ALC(C). In any view of the matter as the said certificate has neither been exhibited nor any person has come forward to state that the concerned workman had worked as a Munshi in Model Dhori Colliery at the time of take over. I hold that there is complete lack of evidence in support of the case of the concerned workman.

Taking the entire facts, evidence and circumstances of the case into consideration I hold that the concerned workman did not work as an Underground Munshi in Model Dhori Colliery at the time when the said colliery was taken over. In the above view of the matter the action of the management of Sarubara Colliery in refusing employment to the concerned workman is justified and accordingly the concerned workman is entitled to no relief.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-24012/12/81-D.IV(B)]
S. S. MEHTA, Desk Officer

नई दिल्ली, 4 जुलाई, 1984

आवेदन

का. आ. 2630:—केन्द्रीय सरकार की राय है कि इसमें उत्तराखण्ड अनुगमी में विनियोजित विषय के बारे में यनाहटिड कमिशनर बैंक, हैदराबाद के प्रबंधतात्र से सम्बद्ध एक आधिकारिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

ओर केन्द्रीय सरकार उक्त विवाद को न्यूनिटर्नेशन के लिए निर्देशित करना वांछनीय समझती है.

अतः, केन्द्रीय सरकार, आधिकारिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क शीर्ष धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शिक्षियों का प्रयोग करते हुए, एवं आधिकारिक अधिकारण गठित करनी है जिसके पीठासील अधिकारी श्री श्राविं पांडु रंगारब द्वारा जिनका मुख्यालय हैदराबाद में होगा ओर उक्त विवाद को उपल अधिकारण को न्यूनिटर्नेशन के लिए निर्देशित करनी है।

“यथा यनाहटिड कमिशनर बैंक, हैदराबाद की शक्ति एच. एस. कालोमी, विशाखापत्तनम में संबंधित प्रबन्ध-

तंत्र की दफतरी, श्री एस. अप्पा राव को लिपीकीय संबंध में पदान्तिकरण में इनकार करने की कार्यवाही न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुत्तम का हकदार है?"

[सं. एल-12012/324/83-डी-2(ए)]

New Delhi, the 4th July, 1984

ORDER

S.O. 2630.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of United Commercial Bank, Hyderabad and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Rangarao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of United Commercial Bank, Hyderabad in relation to their H. S. Colony, Visakhapatnam Branch in denying promotion to Shri S. Appa Rao, Daftri, to clerical cadre is justified? If not, to what relief is the workman concerned entitled?"

[No. L-12012/324/83-D.II (A)]

आवेदन

का. आ. 2631.—केन्द्रीय सरकार को राय है कि इससे उपब्रह्म अनुसूची में विनांदिष्ट विषय के बारे में स्टेट बैंक अफ हैदराबाद के प्रबन्धनात्मक सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहनीय अपश्चाती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठानीत प्रधिकरण थी वी. एन. लालगे होगे, जिनका मुख्यालय बंगलौर में होगा। और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या स्टेट बैंक अफ हैदराबाद की शाखा गुलबर्गा से संबंधित प्रबन्धनात्मक के अधीनस्थ कर्मचारी, श्री महबूब पटेल को बैंक में आमंत्रित करने की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुत्तम का हकदार है?"

[सं. एल-12012/45/84-डी-2(ए)]

ORDER

S.O. 2631.—Whereas the Central Government is of opinion that an industrial disputes exists between the employers in relation to the management of State Bank of Hyderabad, and their workmen in respect of the matter specified in Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri B. N. Lalage, shall be the Presiding Officer with headquarters at Bangalore, and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of State Bank of Hyderabad in relation to its Gulberg Branch in not absorbing an Banks' service Shri Mehboob Patel sub-staff and terminating his services from 31-1-82 is justified? If not, to what relief is the workman concerned entitled?"

[No. L-12012/45/84-D.II (A)]

आवेदन

का. आ. 2632.—केन्द्रीय सरकार की राय है कि इस से उपब्रह्म अनुसूची में विनांदिष्ट विषय के बारे में इंडियन बैंक, बंगलौर के प्रबन्धनात्मक सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठानीत प्रधिकरण थी वी. एन. लालगे होंगे, जिनका मुख्यालय बंगलौर में होगा। और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या इंडियन बैंक, बंगलौर की शाखा मेल्ला संबंध में संबंधित प्रबन्धनात्मक की अंगता लिक चक ई कर्मचारी, श्रीमती एन. जी. जयलक्ष्मी की अपश्चात, 1983 में सेवा समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुत्तम का हकदार है?"

[सं. एल-12012/10/84-डी-2(ए)]

ORDER

S.O. 2632.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Indian Bank, Bangalore and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri B. N. Lalage shall be the Presiding Officer, with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Indian Bank, Bangalore in relation to their Malleswaram Branch, Bangalore in terminating the services of Smt. N. G. Jayalakshmi, part-time sweeper with effect from August 1983 is justified ? If not, to what relief is the workman entitled ?"

[F. No. L-12012/10/84-D.II (A)]

आवेदन

का० आ० 2633.—केन्द्रीय सरकार की राय है कि इस से उपाधिक अनुसूची में शिनिवारिट विषय के बारे में इंडियन बैंक के प्रबंधनतंत्र में सम्बद्ध एक आर्थिक विवाद नियोजकों और उनके कर्मकारों के ओच विद्यमान है;

प्रीर केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहनीय समझती है;

अतः केन्द्रीय सरकार, आर्थिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7का और धारा 10 की उपधारा (1) के खंड (ध) द्वारा प्रदत्त ग्रन्तियों का प्रयोग करते हुए, एक आर्थिक आवश्यक गठित करती है जिसके पीठामीन अधिकारी श्री महेन्द्र भूषण शर्मा होंगे, जिस का मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित बारमी है।

अनुसूची

"क्या इंडियन बैंक, नई दिल्ली की शाखा अजमेर से संबंधित प्रबंधनतंत्र की निपटन/शाराफ, श्री अर्द्धनरेण कुमार दुसाद की 20-9-1982 में सेवा समाप्त करने की कार्यवाही न्यायालिक है ? यदि नहीं, तो संबंधित कर्मकार किंवा अनुतोष का हकदार है ?"

[मा० एन-12012/332/83-डी-2(ए)]

ORDER

S.O. 2633.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Indian Bank and their workmen in respect of the matter specified in the Schedule hereto annexed ;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Mahendra Bhushan Sharma shall be the Presiding Officer, with headquarters at Jaipur, and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Indian Bank, New Delhi in relation to their Ainter Branch in terminating the services of Shri Akhilesh Kumar Dusad, Clerk/Shroff with effect from 20-9-1982 is justified ? If not, to what relief is the workman concerned entitled ?"

[No. L-12012/332/83-D.II (A)]

नई दिल्ली, 11 जुलाई, 1994

आदेश

का० आ० 2633.—केन्द्रीय सरकार की राय है कि इससे उपाधिक अनुसूची में शिनिवारिट विषय के बारे में यूनाइटेड कर्मशिल बैंक के प्रबंधनतंत्र में सम्बद्ध एक आर्थिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है,

प्रीर केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहनीय समझती है,

अतः केन्द्रीय सरकार आर्थिक विवाद अधिनियम 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (ध) द्वारा प्रदत्त ग्रन्तियों का प्रयोग करते हुए एक आर्थिक अधिकरण गठित करती है जिसके पीठामीन अधिकारी श्री जी० एम० बरोदा होंगे जिनका मुख्यालय अहमदाबाद में होगा प्रीर उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या यूनाइटेड कर्मशिल बैंक के प्रबंधनतंत्र की अपनी शाखा वांधानी के माध्यक कैशियर-एक्स-लिपिक श्रीमती एम० एम० गोपाला के आरे में 1-3-79 से बैंकमूलक (फैक्शनल) विवेष मसे की अदायगी बापत निये जी कार्यवाही न्यायेचित है ? यदि नहीं तो वह किम प्रमुखों की हककार है ?"

[मा० एन-12012/338/9-डी-2(ए)]

New Delhi, the 11th July, 1984

ORDER

S.O. 2634.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of United Commercial Bank and their workmen in respect of the matter specified in the Schedule hereto annexed ;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G. S. Barot, shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of United Commercial Bank, Ahmedabad in relation to their Bandhani Branch in withdrawing the Payment of functional special allowance to Mrs. M. S. Golwalkar, Asstt Cashier-cum-clerk with effect from 1-3-79 is justified ? If not, to what relief is she entitled ?"

[No. I-12012/338/83-D.II(A)]

नई दिल्ली, 16 जुलाई, 1984

आदेश

का०आ० 2635.—इससे उपावद अनुसूची में विनिर्दिष्ट औद्योगिक विवाद श्री टी० अरुलराज, पीठ सीन अधिकारी, औद्योगिक अधिकरण, मद्रास के समक्ष लम्बित पड़े हैं,

और श्री टी० अरुलराज की सेवा एं अब उपलब्ध नहीं रही है।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को ध. रा. 33-ख को उपधारा (1) के साथ पठित धारा 7-क के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है, जिसके पीठ सीन अधिकारी श्री के०एस० गुरुमूर्ति होगे, जिनका मुख्यालय मद्रास में होगा और उक्त श्री टी० अरुलराज, पीठ सीन अधिकारी, औद्योगिक अधिकरण, मद्रास के समक्ष लम्बित उक्त विवाद के सम्बद्ध कार्यवाही को व पस लेती है और उसे श्री के०एस० गुरुमूर्ति, पीठ सीन अधिकारी, औद्योगिक अधिकरण, मद्रास को इस निदेश के साथ स्थानांतरित करती है कि उक्त अधिकरण अगे कार्यवाही उस प्रक्रम में करेगा, जिस पर वह उसे स्थानांतरित की जाए तथा विधि के अनुसार उसका निपटान करेगा।

अनुसूची

क्रमांक	मामला संख्या	भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश की संख्या और तारीख	पक्षकारों के नाम
1	2	3	4
1.	ओ०वि०म० 102/84	आदेश संख्या एल-12011/63/83-डी-2 (ए), दिनांक 16-5-1984	भारतीय औद्योगिक विकास बैंक, मद्रास के कर्मकार और प्रबन्धतंत्र I

[सं०एल-12011/63/83-डी-2(ए)]
एन०के० वर्मा, डेस्क अधिकारी

New Delhi, the 16th July 1984

ORDER

S.O. 2635.—Viewing the industrial disputes specified in the Schedule hereto annexed are pending before Shri T. Arulraj, the Presiding Officer, Industrial Tribunal, Madras;

And whereas the services of Shri T. Arulraj are no longer available.

Now, therefore in exercise of the powers conferred by section 7A and read with sub-section (1) of section 33B of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, the Presiding Office of which shall be Shri K.S. Gurumurthy, with headquarters at Madras and withdraws the proceedings in relation to the disputes pending before the said Shri T. Arulraj Presiding Officer, Industrial Tribunal, Madras and transfer the same to Shri K.S. Gurumurthy, Presiding Officer, Industrial Tribunal, Madras with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

Sl. No.	Case No.	Number and date of the Order of the Government of India Ministry of Labour, New Delhi.	Name of the Parties
1	2	3	4
1.	I.D. No. 102/84	Order No. L-12011/63/83-D. II(A) dt. 16-5-84	Workmen and the Management of : Industrial Development Bank of India Madras.

[No. L-12011/63/83-D. II(A)]
N.K. VERMA, Desk Officer

New Delhi, the 24th July, 1984

S.O. 2636.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi in the industrial dispute between the employers in relation to the State Bank of India, New Delhi and their workmen, which was received by the Central Government on the 19th July, 1984.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NEW DELHI

I.D. No. 196/81

In the matter of dispute between :

State Bank of India Staff Association, 2194/2, Hari Singh Nalwa Street, Karol Bagh, New Delhi.

Through its General Secretary

Versus

1. State Bank of India Through The Chairman State Bank of India Central Office Backbay Reclamation, Nariman Point, Bombay.
2. The General Manager (Planning) State Bank of India 11, Parliament Street New Delhi.
3. The Personal Manager, State Bank of India, Personnel Department 11, Parliament Street, New Delhi.

APPEARANCES :

Shri P. N. Gupta—for the workmen.

Shri W. C. Puri—for the Management.

AWARD

Central Government, Ministry of Labour, vide Order No. L-12012/292/80-D. II (A) dated 19-12-1981 made reference of the following dispute to this Tribunal for adjudication :

"Whether the action of the Management of State Bank of India, Parliament Street, New Delhi in denying officiating allowance of Officer Grade II to the Agriculture Assistance is justified ? If not, to what relief are the workmen concerned entitled ?"

2. The matter has been amicably settled between the parties intimate that the dispute does not survive for adjudication and that a 'No dispute' Award may be made. Accordingly a 'No Dispute' Award is made.

Further ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

Dated : July 4, 1984.

O. P. SINGLA, Presiding Officer
[No. L-12012/292/80-D. II(A)]

S.O. 2637.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi in the industrial dispute between the employers in relation to the State Bank of India, Indore and their workmen, which was received by the Central Government on the 19th July, 1984.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NEW DELHI

I. D. No. 181/81

In the matter of dispute between :

Kumari Prabha Bajpai through the Assistant General Secretary, U. P. Bank Employees Union, 36/1, Kailash Mandir, Kanpur.

The Manager, State Bank of Indore, 110/183, R. K. Nagar, Kanpur.

APPARANCES :

Shri Anand Parkash with Shri S. S. Shiroff and B. B. Moharit—for the Management.

Shri Ram Behal Singh—for the workman.

AWARD

Central Government, Ministry of Labour vide Order No. L-12012/145/81-D.II (A) dated 9th December, 1981 made reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of State Bank of Indore in relation to its R. K. Nagar, Branch, Kanpur is not providing employment to Kumari Prabha Bajpai, Clerk/Cashier after 28-7-1980 and terminating her services is fair, just and legal ? If not, to what relief is the workman concerned entitled ?"

2. It is intimated that Kumari Prabha Bajpai had already expired and the Union of the workman is not interested in pursuing the matter further and request that a 'No Dispute' Award be made. Accordingly a 'No Dispute' Award is made.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

Dated : July 9, 1984.

O. P. SINGLA, Presiding Officer
[No. L-12012/145/81-D.II (A)]

New Delhi, the 25th July, 1984

S.O. 2638.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the State Bank of India, Varanasi and their workmen which was received by the Central Government on the 19th July, 1984.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 254/83

In the matter of dispute between :

Shri V. K. Singh, (Dr. V. K. Singh), 35/48/F-2 Ordarly Bazar, Varanasi.

Versus

The Chief Regional Manager, State Bank of India, Post Box No. 8, Varanasi Cantt.-221002.

APPEARANCES :

Shri S. N. Gupta—for the Management.
None—for the workman.

AWARD

Central Government, Ministry of Labour vide Order No. L-12012/131/83-D.II(A) dated 20th December, 1983 made reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of State Bank of India Regional Office Varanasi in not considering Dr. V. K. Singh, Ex. Medical Officer at the time of making a fresh appointment of a Doctor in the Bank is justified? If not to what relief is the workman concerned entitled?"

2. Notices were issued to the parties. Shok Kumar appeared for the workman on 14-3-84 and sought a date for filing statement of claim but none had been filed and today none appeared for the workman.

3. The reference on its terms relates to fresh appointment of a Doctor in the State Bank of India and such a matter is not covered by section 2(A) of J.D. Act, 1947 and requires espousal by a Union of workmen and in this case there is no such espousal and no particulars of the Union which may espouse the case and only Dr. V. K. Singh and his address is mentioned in the order of reference.

4. Accordingly the reference is held to be incompetent because this "Industrial Dispute" could have been raised only by a Union of workmen and not by Dr. V. K. Singh himself because it relates not to termination of service but to consideration at the time of fresh appointment. Accordingly the reference is rejected as incompetent and Award is made accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

July 9, 1984.

O. P. SINGLA, Presiding Officer
[No. L-12012/131/83-D.II(A)]

New Delhi, the 25th July, 1984

S.O. 2639.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of Dhanalakshmi Bank Limited, Head Office, Trichur and their workmen, which was received by the Central Government on the 18th July, 1984.

BEFORE THIRU K. S. GURUMURTHY, B.A., B.L.,
Presiding Officer

Industrial Tribunal, Tamil Nadu,
Madras

(Constituted by the Government of India)

Saturday, the 30th day of June, 1984

Industrial Dispute No. 34 of 1978

(In the matter of the dispute for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947 between the workmen and the Management of The Dhanalakshmi Bank Limited, Head Office, Trichur.)

BETWEEN

The workmen represented by
The General Secretary,
Dhanalakshmi Bank Employees Union.
Chaliserry Buildings Round West.
Trichur.

AND

The Chairman,
The Dhanalakshmi Bank Limited,
Head Office, Trichur.

REFERENCES :

Order No. L-12011/41/78-D. IIA, dated 30th May, 1978,
Ministry of Labour, Government of India, New
Delhi

This dispute after remand, coming on this day for final hearing upon perusing the reference, claim and counter statements and all other connected papers on record and upon hearing the arguments of Thiru R. Arumugam for Mr. Aiyar and Dolia, Advocates appearing for the workmen and of

Thiru D. Meenakshi Nadaram, Advocate appearing for the Management, and the Management filed a Memorandum of Settlement entered into between the parties, and recording the same, this Tribunal made the following :—

AWARD

The Central Government by its Order No. L-12011/41/78-D. IIA, dated 30th May, 1978, Ministry of Labour referred the dispute between the workman and the Management of The Dhanalakshmi Bank Limited, Trichur mentioned for adjudication by this Tribunal. The dispute referred is as follows :

"Whether the action of the Chairman, Dhanalakshmi Bank Limited, Trichur in denying employment to Shri P. K. Swaminathan as Car Driver, with effect from 1-8-75 is justified? If not to what relief is the workman concerned entitled?

(2) The matter was pending right from 1978. Yesterday, i.e., 29-6-1984, the learned counsel appearing for the Respondent-Bank filed a settlement alleged to be one between the Union and the Management by which the entire dispute stands withdrawn and therefore the Industrial Dispute should be disposed of as being not effective. The learned counsel appearing for the Management has filed a certificate that the settlement filed by him is a genuine settlement signed by both the parties. There is a letter addressed by the General Secretary of the Union at whose instance the dispute was referred, to the effect that the dispute between the Union and the Management had been settled in terms of the agreement dated 15-3-1984 and therefore there is no dispute in the matter and the Union will not prosecute the dispute any further. In that context, I have no doubt that the settlement filed by the counsel representing the Management is at true one and by reason of the settlement, the dispute itself stands withdrawn or not prosecuted.

(3) Accordingly, there will be an award dismissing the claim of the Union. However, there will be no order as to costs. The settlement will be an annexure to the award.

Dated, this 30th day of June, 1984.

K. S. GURUMURTHY, Industrial Tribunal
[No. L-12011/41/78-D. II(A)/D. IV(A)]

ANNEXURE

MEMORANDUM OF SETTLEMENT

Name of Parties :

- (1) The Dhanalakshmi Bank Limited represented by its Chairman and Chief Executive Officer.
- (2) Representing workmen
 - (a) The Dhanalakshmi Bank Employees Union represented by General Secretary.
 - (b) All Kerala Bank Employees Federation represented by General Secretary.
- (3) N. Mohamed Nalankandam House, Thachampara.
- (4) C. J. Antony, Chaliserry House, P.O. Manakodi.

Short Recital of the case : The All Kerala Bank Employees Federation and the Dhanalakshmi Bank Employees Union had espoused the cause of three workmen namely N. Mohamed, C. J. Antony and P. K. Swaminathan. As the issue could not be settled the matters were referred for adjudication. In the case of Sri Mohamed the Industrial Tribunal by Award dated 21-7-1980 in I.D. No. 5 of 75 held that the termination effected was bad and directed the Dhanalakshmi Bank Ltd. to reinstate Sri N. Mohamed.

In the case of Sri C. J. Antony (I.D. No. 8 of 75) the Industrial Tribunal held that Sri Antony is not entitled to any relief. The AKBEF representing the workmen has filed an original petition before the Hon'ble High Court of Kerala as O.P. No. 3491/81 and the same is now pending.

In Mr. Swaminathan's case the Industrial Tribunal, Madras in I.D. No. 34 of 1978 dated 10-9-1979 held that he is not entitled to any benefits. The Union had challenged the Award by way of O.P. 986 of 1980 and the High Court on 1-3-1983 had set aside the award and remanded the matter for fresh consideration. The operation of the judgement has been got stayed by the Dhanalakshmi Bank Limited by interim orders passed in writ appeal 442 of 1983.

The parties concerned had held further negotiations in the matter and have come to an amicable settlement, the terms of which are given below :

1. The Union agrees to the Management's suggestion that in spite of the directions contained in the Award in I.D. 5 of 75, Sri N. Mohamed could be absorbed as our employee in the subordinate cadre of the Dhanalakshmi Bank Ltd. with effect from the date of joining. He will be entertained as a fresh employee and will not be entitled to any back wages.
2. The Management agrees to reappoint Sri C. J. Antony as an employee of the Bank in the clerical cadre as a new entrant with effect from the date of joining. He will draw a basic pay of Rs. 325/- + two additional graduate increments) fixed as the minimum for a clerk as laid down by the existing settlement.
3. The Union agrees that they will not prosecute I.D. No. 34 of 1978 before the Industrial Tribunal, Madras, any further and will not oppose the prayers of the Management urged in Appeal 442 of 1983.

The parties agree that joint statements along with a copy of the settlement will be filed before the Labour Court, Ernakulam, the High Court of Kerala in writ appeal 442 of 1983 O.P. No. 3491/81 and I.D. 34 of 1978 praying for appropriate orders in view of the terms of settlement described above.

Dated at Trichur on Fifteenth day of March, 1984.

Parties :

1. For the Dhanalakshmi Bank Ltd.
(Sd.)
Chairman.
2. For the Dhanalakshmi Bank Employees' Union.
(Sd.)
3. (Sd)
General Secretary
4. (Sd)
(N. Mohammed.)
5. (Sd) C. J. Antony.

Witnesses :

1. (Sd)
(Sujata Varma)

Officer, Personnel Department,
The Dhanalakshmi Bank Ltd.,
Central Office, Tiruchur.
2. (Sd) M. K. Krishnan Kutty
Joint Secretary,
Dhanalakshmi Bank Employees' Union, Trichur.

(Sd) K. S. Gurumurthy
INDUSTRIAL TRIBUNAL

S.O. 2640.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the State Bank of India, Kanpur and their workmen, which was received by the Central Government on the 21st July, 1984.

**BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI**

I.D. No. 71/79

In the matter of dispute between :

Shri Ramesh Chander Sharma,
r/o Sharma Sarvahitaishi Aushadhalaya,
House No. 87, Moh. Mohtaram Khan,
Pilibhit (U.P.).

Versus

State Bank of India,
through Regional Manager,
Kanpur.

APPEARANCES :

Shri S. N. Gupta Adv.—for the S.B.I.
Shri G. N. Kapoor—for the workman.

AWARD

Central Government, Ministry of Labour, vide Order No. L-12012/11/79-D.II(A) dated 27th December, 1979 made reference of the following dispute to this Tribunal for adjudication :—

“Whether the action of the Management of State Bank of India, Local Head Office, Kanpur in terminating the services of Shri Ramesh Chander Sharma, ex-temporary Guard-cum-Messenger of Kachla Branch of the Bank with effect from 23rd September, 1978 without payment of retrenchment compensation, etc., is justified? If not, to what relief the said workman is entitled?”

2. Ramesh Chander Sharma was appointed at Bareilly City Branch from 16th February, 1970 to 22nd October, 1970. Later, he was appointed as temporary guard-cum-Messenger at Pilibhit City Branch of S.B.I. and worked there during the period 1st April, 1971 to 5th July, 1976. He was appointed afresh as temporary Messenger-cum-Wifeboy at Kachla Branch of the S.B.I. w.e.f. 3rd October, 1977 and worked there upto 22nd September, 1978, when his services were terminated as no-longer required.

3. The workman's case is that he worked as an employee for 2231 days, and it was regular-employment, and that termination of his services was illegal and without payment of retrenchment-compensation under section 25-F of the I.D. Act, 1947. The grounds disclosed later that the termination was on failure to pass requisite test/interview for permanent absorption and on account of alleged 7 days' imprisonment during previous military services and being only a Driver in the Army and not gun-man there, were said to be false.

4. The workman requested that he be reinstated in service with full back wages and continuity in service.

5. The Management of State Bank of India contested the claim and asserted that the previous service of the workman in Pilibhit and Bareilly Branch was irrelevant, and in Kachla Branch he worked only for 340 days. His services were terminated for the reason that, during interview, it came to notice, on his own information, that he did not serve in the fighting-forces and was merely a Driver, and that he was put in Military-jail for 7 days for indiscipline, and he was considered to be dishonest employee not fit for permanent absorption. No retrenchment compensation was said to be due to the workman. In any case, retrenchment compensation was offered to the workman during conciliation, but the workman first accepted and then refused. The claim of the workman is said to be non-meritorious.

6. The matter in reference has been tried. Workman gave his own affidavit and the management filed affidavits of Major K. K. Kandhari, Circle Security Officer and of Shri V. K. Kapoor, Desk Officer, Regional Office, Bareilly, who have been cross-examined by the workman. The workman himself has been cross-examined by the Management. I have perused the written arguments filed by the parties.

7. It may be accepted that the previous service of the workman at Bareilly City and Pilibhit branches is not relevant, because there is a gap of more than a year in workman being employed at Kachla branch, after termination of service at Pilibhit on 4th July, 1976.

8. The Management's objection about the reference being invalid is not accepted, because the reference specifically relates to the validity of retrenchment, without payment of retrenchment-compensation etc., and the fact that the bank offered retrenchment-compensation to the workman during conciliation proceedings clearly shows that payment or non-payment of retrenchment compensation was discussed during conciliation, and it cannot be said that this matter was not raised by the workman in conciliation proceedings.

9. After the judgment of Hon'ble Supreme Court in the case of Santosh Gupta Vs. State Bank of India 1980(2)LLJ-72, it cannot be disputed that the discharge of a workman on the ground that the workman did not pass the test, which would unable the workman to be confirmed was "retrenchment" within the meaning of section 2(oo) and requirement of section 25-F of the I.D. Act, 1947 had to be complied with. In this case also, if the workman was to be discharged and was not considered suitable for permanent absorption, it was obligatory on the State Bank of India to comply with section 25-F of the I.D. Act, 1947 and that compliance had to be done at the time of termination of service and not later, when the matter came before the Conciliation Officer. The workman did not accept retrenchment-compensation offered to him during conciliation, and, therefore, there is no estoppel against him.

10. The ordinary rule is that, if Retrenchment-Compensation is not offered, termination of service is invalid in law, and the relationship of employer and employee cannot be said to have been determined, without payment of retrenchment-compensation due under section 25-F of the I.D. Act, 1947, and the workman will be entitled to reinstatement in service with full back-wages.

11. The workman disputed his imprisonment or his having admitted so in the interview. There is no record, apart from the statement of the Major Kandhari of the State Bank of India at interview about the workman's imprisonment for 7 days during Military service. In this situation, there is no reason not to follow the ordinary rule and to order reinstatement of workman in service with full back wages, after holding the termination of service is found to be illegal and invalid for non-compliance with mandatory requirements of section 25-F of the I.D. Act, 1947, when that provision clearly applied to him, on account of his having served at Kachla branch for 344 days during the period 3rd October, 1977 to 22nd September, 1978.

12. The State Bank of India shall reinstate the workman Ramesh Chander Sharma, with full back wages and continuity of service, but the Management may discharge him from service, after compliance with the provisions of law applicable to him, if so advised later. There will be no order as to costs. The Award is made accordingly.

Further ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

July 9, 1984

O. P. SINGLA, Presiding Officer
[No. L-12012/11/79-D.II(A)]

S.O. 2641.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employees in relation to the State Bank of Patiala, Kanpur and their workmen, which was received by the Central Government on the 21st July, 1984.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 62/80

In the matter of dispute between :

Shri Om Parkash S/o Shri Shyam Sunder Tripathi, r/o H. No. 128-G/70, Kidwai Nagar, Kanpur.

Versus

State Bank of Patiala, Naveen Market, Kanpur.

APPEARANCES .

Shri I. D. Gupta—for the State Bank of Patiala.
Shri Irshad Ali—for the workman for sometime.

AWARD

Central Government, Ministry of Labour vide Order No. L-12012/116/79-D.II.A, dated 2nd July, 1980 made reference of the following dispute to this Tribunal for adjudication :

"Whether the action of the Manager of State Bank of Patiala, Naveen Market Branch, Kanpur in terminating the services of Shri Om Parkash, Peon from 10th January, 1979 is justified? If not, to what relief is the workman concerned entitled?"

2. Om Parkash joined as Peon with the Bank of Patiala, Naveen Market, Kanpur on 18-10-78. His services were terminated on 16-12-78. His contention is that the post on which he was working was permanent and that he was not made permanent on that vacant post and, therefore, his termination of service and appointment of one Vikram a fresh hand as a temporary peon on the same post for 85 days was an unfair labour practice and there was the practice of chain of engaging peons on the same post for 85 days and thereafter not continuing. He demanded reinstatement w.e.f. 1-11-79 with full back wages and continuity of service.

3. The Management of State Bank of Patiala contested the claim and asserted that there was no provision of I.D. Act/Sastray Award/Desai Award/ Bipartite Settlement entitling the workman to reinstatement with full back wages on the basis of 85 days' service only. The workman was ineligible on account of age for appointment as a peon under the rules of the bank for recruitment of the staff, because the rules required the person concerned to be between 18 and 25 years of age. The practice alleged by the workman of having a chain of new peons and allowing them to work only for 85 days in regular vacancies was denied. Temporary appointments were said to have been made as and when necessary to meet requirements of the bank for increase in the work etc. and not in any way by contravention of provisions of Award/ Bipartite Settlement.

4. The matter in issue has been tried. The workman filed his own affidavit and the Management filed affidavit of Shri Narendra Joshi, Branch Manager, State Bank of Patiala, Naveen Market, Kanpur. I have heard the representative of the bank because the workman's representative did not appear after 3-5-84.

5. The appointment letter of the workman is in the following terms and is Annexure I dated 18-1-78:

COPY
"STATE BANK OF PATIALA
BRANCH

2nd Floor, 28 Naveen

Market

Kanpur-208 001

18-10-1978

MEMORANDUM

With reference to his application dated 16-10-78 Shri Om Parkash Tripathi is informed that he has been appointed as a temporary Peon for a period of 60 days w.e.f. 18-10-78 to 16-12-78 on a salary of Rs. 116 P.M. Plus D.A. and other allowances as may be applicable in this area subject to satisfactory service.

This service of Shri Om Parkash Tripathi being purely temporary will be terminated on 16-12-78 without any notice whatsoever. The Bank also reserves right to terminate his services before that date by serving notice as provided in the award. Shri Om Parkash Tripathi will return the duplicate copy of this memorandum duly signed by him in token of his acceptance of the appointment on the above terms and conditions.

Sd/-Illegible
(N JOSHI)
BRANCH MANAGER
Manager
State Bank of Patiala
Navin Market
KANPUR

6. The Service Certificate given to him on 18-1-79 is W-2 in these terms:—

"Copy

State Bank of Patiala
NAVIN MARKET BRANCH KANPUR

Date 18-1-79

CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

This is to certify that Shri O. P. Tiwari worked as a temporary peon at our branch from 18th October, 1978 to 10th January, 1979. During his service at the branch he performed his duties satisfactorily.

Sd/-Illegible
MANAGER"

7. There is no sufficient evidence indicating chain of appointments of new Peons in the bank for 85 days only and unfair labour practices being indulged in by the State Bank of Patiala. Accordingly, the termination of services of the workman after less than three months service in the bank is not found to be unjustified or illegal for any reason and the workman is not entitled to any relief. The Award is made accordingly.

Further ordered that the requisite number of copies of this Award may be forwarded to Central Government for necessary action at their end.

O. P. SINGLA, Presiding Officer
July 19-1984.

[No. L-12012|116|79-D.II(A)]
N. K. VERMA, Desk Officer

नई दिल्ली, 12 जूलाई, 1984

प्रादेश

का० प्रा० १६४३—केन्द्रीय गवर्नर की गय है कि इसमें उपायक अनुसूची में विनियित विषय के बारे में कारबोरेशन बैंक, मानगोर के प्रबंधतात्र से मस्त्र एक आधिकारिक विवाद नियोजित होते और उनके कर्मकारों के बीच विवादात है;

अब केन्द्रीय गवर्नर उक्त विवाद का न्यायनिर्णयन के लिए निर्देशित करना चाहिये तथा समझती है,

अतः केन्द्रीय गवर्नर आधिकारिक विवाद अधिनियम, 1947 (1917 का ११) की धारा ७क पार धारा १० की अपाधार (१) के लिए (प) धारा प्रश्न अधिनियम का प्रयोग करने के, १५ आधिकारिक अधिकरण गदित करनी है जिसके पाठाधीन अधिकारी श्री बी० ए० लालगे होंगे जिनका मुख्यालय बंगलोर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या कारबोरेशन बैंक मंगलार के प्रबंधतात्र की 1971 के संरूप सं० i में श्रीरामानन्द प्रधिकरण (कर्डीग) बंगलोर के पंचाट थीं जारी के अनुसार सर्वोत्तम प्रभाकर नायक और अलैक्सेंडर पिकार्डो लिपिकों को 26-८-७८ से न्याय संघर्षी के० अनुसूचीर कामय आर ए० रामानन्दा प्रभु लिपिकों को 7-९-७७ से अधिकारी वर्ग-IV संरग्म में प्रोत्तित होने से इहाँ करने को कार्यवाही न्यायोचित है? यदि नहीं तो मंबिधिम कर्मकार किस अनुत्तीष्ठ के लकारा है श्रीर किस तारीख में?"

[म० ए०-12011/15/83-डी-४(प))]
एस० एम० पराशर, ईस्क प्रधिकारी

New Delhi, the 12th July, 1984

ORDER

S.O. 2642.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Corporation Bank, Mangalore and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri B. N. Lalage shall be the Presiding Officer, with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Corporation Bank, Mangalore in denying promotions to the Officer Grade IV cadre to S/Shri A. Prabhakara Nayak and Alexander Picardo, Clerks with effect from 26th August, 1976 and to S/Shri K. Raghavendra Kamath and N Ramananda Prabhu, Clerks with effect from 7th September, 1977 in terms of the Award of the Industrial Tribunal (Central), Bangalore in reference No. 1 of 1971, is justified? If not, to what relief are the workman concerned entitled and from which date?"

[No. L-12011/15/83-D.IV(A)]
S. S. PRASHER, Desk Officer

New Delhi, the 25th July, 1984

S.O. 2643.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publish, the following award of the Central Government Industrial Tribunal, Hyderabad in the industrial dispute between the employers in relation to the New Bank of India, Karimnagar Distt. (A.P.) and their workmen, which was received by the Central Government on the 20th July, 1984.

**BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD.**

Industrial dispute No. 9 of 1984.

BETWEEN

The Workmen of New Bank of India, Karimnagar Branch, Karimnagar Distt.

AND

The Management of New Bank of India, Karimnagar Branch, Karimnagar District (A.P.)

APEARANCES:

Shri S. Ramulu, Member and President of New Bank of India Employees Union, Andhra Pradesh for the Workmen.

Shri K. Subba Rao, Assistant Manager and Shri A. Krishna Rao, Accountant, New Bank of India, Hyderabad Branch for the Management.

AWARD

The Government of India, Ministry of Labour under Sections 7A and 10(1) (d) of the Industrial Disputes Act, by its Order No. L-12012/18/83-D.IV(A), dated 6-2-1984 has referred to this Tribunal the following issues for adjudication in the industrial dispute between the Workmen and the Management of New Bank of India:

SCHEDULE

"Whether the action of the management of New Bank of India in relation to their Karimnagar Branch is denying promotion to Shri T. Ramanjaneyulu, Clerk-cum-Typist as Head Clerk (Now called as Special Assistant) by not taking into account the additional qualification attained by him during the half year ending 30th September, 1982 for the purpose of seniority as on 30th September, 1982 is justified? If not, to what relief is the workman concerned entitled?"

2. The reference was registered by this Tribunal as Industrial Dispute No. 9 of 1984 and notices were sent to the parties concerned.

3. A Joint Memo dated 1st June, 1984 was filed by the Workmen and the Management of New Bank of India praying to pass an award in terms of the Settlement. The Management filed a letter of authorisation in favour of Sri A. Krishna Rao, Sri A. Krishna Rao on behalf of the Management and Sri C. Ramulu on behalf of the Workmen appeared in person and admitted the Settlement between the parties.

4. After having gone through the terms of the Settlement, it can be stated that it is just and proper and it is in the interest of both the concerned workmen and also the Management. Such proper and just settlements have to be accepted in order to see that cordial relationship between the Workmen and the Management is maintained. Hence, in the circumstances, it is a fit case for passing the Award in terms of the Settlement.

5. Award is passed accordingly in terms of the Settlement between the parties. Copy of the Settlement is herewith attached as part of the Award.

Given under my hand and the seal of this Tribunal, this the 10th day of July, 1984.

SRI IMMANENT PANDURANGA RAO, Industrial
Tribunal
[No. L-12012/18/83-D.IV(A)]

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, HYDERABAD

Respectfully, Showeth

In the matter of an Industrial Dispute No. 9 of 1984 between the workmen of New Bank of India, Karimnagar branch and the Management of New Bank of India.

It is respectfully submitted that the above matter is pending adjudication before your good selves, the hearing of which has now been fixed for 1st June, 1984 by this Hon'ble court for filing reply on behalf of the bank.

The parties to the dispute after mutual discussions and with a view to maintain industrial harmony and cordial relations have decided to amicably settle the matter on the following terms:

1. Shri T. Ramanjaneyulu, presently Accountant at branch office Karimnagar, who was promoted as Special Assistant from 6th April, 1983 should be deemed to have been promoted as Special Assistant with effect from 9th October, 1982.

2. Necessary order giving retrospective effect to the promotion to Shri T. Ramanjaneyulu as per clause (1) above, will be issued by the Bank Management immediately after the announcement of the award by this Hon'ble court.

In view of the aforesaid settlement arrived at between the parties, it is requested that this application of the parties may be accepted and consent award may kindly granted.

It is prayed accordingly.

For and on behalf of
New Bank of India Employees
Union (Andhra Pradesh).

Sd/-

General Secretary/
Authorised Representative

For and on behalf of
New Bank of India

Sd/-

Authorised Representative
K. SUBBARAO,
Dated : 1-6-1984.

S.O. 2644.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the Lakshmi Commercial Bank Limited, Kanpur and their workmen, which was received by the Central Government on the 19th July, 1984

**BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL.**

NEW DELHI

I.D. No. 194/83

In the matter of dispute between :

Kumari Prabha Bajpai through
The Assistant General Secretary,
U.P. Bank Employees Union,
36/1, Kailash Mandir,
Kanpur.

Versus

The Manager, Lakshmi Commercial Bank Ltd.,
Birhana Road, Kanpur

APEARANCES :

Shri N. S. Sikri—for the Management.
Shri Ram Behal Singh—for the workman.

AWARD

Central Government, Ministry of Labour, vide order No. L-12012/4/82/D-IV(A) dated 18th September, 1982 made reference of the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Lakshmi Commercial Bank Limited, Birhana Road, Kanpur in terminating the services of Kumari Prabha Bajpai, temporary Part-time Pass Book Writer w.e.f. 5th October, 1981 and is not absorbing her permanently in clerical cadre is justified? If not, to what relief the concerned workman is entitled?"

2. Mr. Ram Behal Singh conveyed that the workman concerned Kumari Prabha Bajpai had already expired and the Union did not want to pursue the matter further and request that a 'No Dispute' Award be made. Accordingly a 'No Dispute' Award is made.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

July 9, 1984

O. P. SINGLA, Presiding Officer
[No. L-12012/4/82-D.IV(A)]
S. S. PRASHER, Desk Officer

नई दिल्ली, 17 जुलाई, 1984]

का०शा० 2645.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित है कि केन्द्रीय ग्रामीण बैंक अधिनियम, 1976 की धारा 3 के अधीन स्थापित केन्द्रीय ग्रामीण बैंक द्वारा चलाया जा रहे बैंकिंग उद्योग को, जो औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की मद 2 के अंतर्गत आता है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित किया जाना चाहिए।

अतः औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खण्ड (h) के उप खण्ड (6) के परत्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए छ भास की कालावधि के लिए नकाल प्रभाव से लोक उपयोगी सेवा घोषित करनी है।

[सं० एस० 11017/9/81-डी-1(ए)]
ग० ह० स० अध्यर, अवर सचिव

New Delhi, the 17th July, 1984

S.O. 2645.—Whereas the Central Government is satisfied that the public interest requires that the Banking Industry as carried on by a regional rural bank established under Section 3 of the Regional Rural Banks Act, 1976, which is covered by item 2 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/9/81-D.I(A)]
S. H. S. IYER, Under Secy.

नई दिल्ली, 18 जुलाई, 1984

का०शा० 2646—उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 5 के साथ पठित धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए,

केन्द्रीय सरकार, श्रम विभाग के अवर सचिव, श्री रघुवर सिंह को 23 जुलाई, 1984 से अगले प्रादेश जारी होने तक उत्प्रवासी संघी-1, बम्बई के सभी कार्य करने के लिए प्राधिकृत करती है।

[सं० ए०-22012/3/84-एमीप्रेशन-2]
ग०. नारायणास्वामी, अवर सचिव

New Delhi, the 18th July, 1984

S.O. 2646.—In exercise of the powers conferred by section 3 read with section 5 of the Emigration Act 1983 (31 of 1983), the Central Government hereby authorises Shri R. D. Mishra, Under Secretary, Department of Labour to perform all functions of Protector of Emigrants-I, Bombay with effect from 23rd July, 1984 till further orders.

[F. No. A-22012/3/84-EMIG.II]
R. NARAYANASWAMI, Dy. Secy.

New Delhi, the 25th July, 1984

S.O. 2647.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the Sijua Bhelatand Collieries of Messrs Tata Iron and Steel Co. Ltd. Post Office Bhelatand, District Dhanbad and their workmen, which was received by the Central Government on the 23rd July, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10
(i)(d) of the Industrial Disputes Act, 1947

Reference No. 4 of 1979

PARTIES :

Employers in relation to the management of Sijua-Bhelatand Collieries of Messrs Tata Iron and Steel Company Limited, Post Office Bhelatand, Distt. Dhanbad.

AND

Their Workmen.

PRESENT :

Mr. Justice Manoranjan Prasad (Retd.)—Presiding Officer.

APPEARANCES :

For the Employers.—Shri T. K. Prasad, Senior Advocate, and Shri N. C. Ganguli, Advocate.

For the Bihar Colliery Kamgar Union.—Shri D. Narasingh, Advocate, and Shri G. Prasad, Advocate.

For the Rashtriya Colliery Mazdoor Sangh.—Shri S. Bose, Secretary.

For the Janata Mazdoor Sangh.—None.

STATE : Bihar.

INDUSTRY : Coal

Dhanbad, the 18th July, 1984

AWARD

By Order No. L-20012/219/78-D. III(A) dated, the 17th January, 1979, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following disputes to this Tribunal for adjudication :

1. Whether the action of the management of Sijua-Bhelatand Collieries of Messrs Tata Iron and Steel Company Limited, Post Office Belatand, District Dhanbad in introducing mechanical pay-loaders for loading of coal into wagons without issue of notice under section 9A of the Industrial Disputes Act, 1947 and stopping the workmen from employment with effect from the 19th October, 1978 is justified ? If not, to what relief are the concerned workmen entitled ?"
2. Whether, on prohibition of the employment of contract labour in loading and unloading of coal, the management of Sijua-Bhelatand Collieries of Messrs Tata Iron and Steel Company Limited, Post Office Belatand, District Dhanbad were justified in terminating the employment of the workmen employed in loading and unloading ? If not, to what relief are the said workmen entitled ?
3. Whether the demand of the workmen of Sijua-Bhelatand Collieries of Messrs Tata Iron and Steel Company Limited, Post Office Belatand, Distt. Dhanbad for provision of employment to the workmen mentioned in Annexure 'A' is justified ? If so, to what relief are the said workmen entitled ?"

ANNEXURE 'A'

1. Bhuneswar Māhī
2. Ltu
3. Simari
4. Bali Thkuri
5. Gandy
6. Kamli
7. Chando
8. Sri Ria
9. Budhni
10. Bhola
11. Salim
12. Md. Yakub
13. Jamaludin
14. Jagdish Paswan
15. Ashok
16. Munna
17. Basdeo
18. Baju
19. Anand
20. Kamruddin
21. Samsuddin
22. Jagdish
23. Rajkumar
24. Surji
25. Ramanand Munda
26. Sarjag Hasah
27. Chinta Muda
28. Wohan Saw
29. Chandra Deo Choman
30. Lkchhinia Devi
31. Jagdish
32. Parwati Devi
33. Palika
34. Dewnath Paswan
35. Ganesh Paswan
36. Lal Das Paswan
37. Ram Das
38. Chhotan
39. Nanuku
40. Ram Bhajan
41. Sahdeo
42. Jaiwanti
43. Mniwa
44. Rusani
45. Mhaswar
46. Jankwa
47. Rajendra
48. Bindeswari
49. Sagar
50. Sona Ram
51. Suraj
52. Chuku
53. Karma
54. Sama
55. Rasik
56. Malti
57. Malti
58. Mana
59. Sukur Muni
60. Tara Muni
61. Kali Wati
62. Lakha Paswan
63. Gauri Paswan
64. Arjun
65. Hari Chandra
66. Kisun Singh
67. Jitan Kahar
68. Shriria
69. Jamaluddin
70. Sokat Ali
71. Prem
72. Kakli
73. Dhabka Bhuiya
74. Fulwa Ghtwatin
75. Rawi
76. Karik
77. Durga
78. Pramanand

79. Hardhan
 80. Anchho
 81. Radha Barin
 82. Sita Charan
 83. Sarthi
 84. Dukhni
 85. Ratan
 86. Kasilya
 87. Ram Adhar Paswan
 88. Churki
 89. Samlal
 90. Bajnath
 91. Fulmani
 92. Bhali
 93. Suku
 94. Somi
 95. Umesh
 96. Sugya
 97. Pitamber
 98. Pano Mahtain
 99. Lochan
 100. Harka Paswan
 101. Girdhari Bhuiya
 102. Bideshi Bhuiya
 103. Klasar Bhuiya
 104. Jagdish Bhuiya
 105. Kamla Bhuiya
 106. Karu Ram
 107. Dashrath Ram
 108. Lakan Ram
 109. Kuldip Ram
 110. Ram Prawash Ram
 111. Mahesh Ram
 112. Namdu Ram
 113. Ramasar Bhuiya
 114. Rohani Baurin
 115. Sahdeo Bhuiya
 116. Baleswar Nonia
 117. Chinta Bhuiya
 118. Shanti Bhuiya
 119. Shanti Bhuiya
 120. Puchaman
 121. Jhawi Maithain
 122. Malti Chatwarin
 123. Dukhi Ram
 124. Chandradeo Ram
 125. Jagdish Ram
 126. Mukh Lal Ram
 127. Kalu Singh
 128. Alijan Miya
 129. Napal Uraw
 130. Shio Nath Uraw
 131. Kerash Uraw
 132. Skuntla Uraw
 133. Shukr Mani Uraw
 134. Kamni Uraw
 135. Tjallali Uraw
 136. Keshlya Uraw
 137. Jamun Uraw
 138. Serla Uraw
 139. Solochna Uraw
 140. Shanti Karmakar
 141. Niriya Bauirin
 142. Rajay Kumar Bauirin
 143. Bijola Baurin
 144. Bisinia Beldar
 145. Bali
 146. Rameswar
 147. Mahesh
 148. Kbutri Bhuiya
 149. Grish Bhuiya
 150. Kamta Bhuiya
 151. Somar Manjhi
 152. Paryag Bhuiya
 153. Lakan Bhuiya
 154. Furi Bhuiya No. 2
 155. Rabi Ram Das
 156. Anil Kumar Jha
 157. Md. Asim
 158. Yatwari Armeear
 159. Gokhul Armeear
 160. Gokhu Armeear
 161. Punna Mahto
 162. Bahanni Mansaya
 163. Asari Urang
 164. Parwati Urang
 165. Tusiya Rai
 166. Mangla Rai
 167. Sarawatia Rai
 168. Sudam Rai
 169. Lalu Urang
 170. Badni Rajwarin
 171. Malti Majhiyar
 172. Magram Mahto
 173. Dsbis Mahtain
 174. Jhalu Mahtjin
 175. Rameswar Manjhi
 176. Ramani Majhiyan
 177. Amiay Mahtain
 178. Md. Salim
 179. Bideshi Paswan
 180. Ketya Devi
 181. Malti
 182. Magli
 183. Kulaswari
 184. Khsni
 185. Rashami
 186. Bali
 187. Pan Ali
 188. Bina
 189. Somari
 190. Arela

- | | |
|-----------------------|-------------------------|
| 191. Anachhi | 247. Mali Bauri |
| 192. Radhiya | 248. Bideshi Bhuiya |
| 193. Churamani | 249. Hariaykhi Das |
| 194. Sawitri | 250. Sukhadeo Rawidas |
| 195. Parwa | 251. Jesoda Devi |
| 196. Rabni | 252. Mohan Mati Devi |
| 197. Tara Chand | 253. Mahawir Dewilar |
| 198. Shio Lal | 254. Prasuram Bauri |
| 199. Parawati | 255. Ganash Turi |
| 200. Arjun Urao | 256. Budhwar Ram |
| 201. Kashi Urao | 257. Arjun Singh |
| 202. Madan Urao | 258. Mama Devi |
| 203. Charku Urao | 259. Asi Mahto |
| 204. Jai Shis | 260. Ramu Mahto |
| 205. Bideshi Bhuiya | 261. Makri Devi |
| 206. Arana Urao | 262. Mohan Singh |
| 207. Samari Urao | 263. Raja Ram B.P. |
| 208. Achela Sahish | 264. Sohan Singh |
| 209. Jagdish Paswan | 265. Hema Lal Mahto |
| 210. Kadar Bhuiya | 266. Lil Kanth Mahto |
| 211. Bundi Bhuiya | 267. Lakhram Ram |
| 212. Fodi Bhuiya | 268. Koshlyia Devi |
| 213. Mahawir Bhuiya | 269. Lalu Singh |
| 214. Jethu Bhuiya | 270. Amar Bauri |
| 215. Lal Kesar Bhuiya | 271. Bharpar Bauri |
| 216. Ramdhani Bhuiya | 272. Nandi Bauri |
| 217. Laljan Bhuiya | 273. Bolo Hari Bauri |
| 218. Genari Bhuiya | 274. Yatwari Devi |
| 219. Prayag Bhuiya | 275. Narmi Devi |
| 220. Kali Urao | 276. Josna Devi |
| 221. Hura Rai | 277. Takh Lata Devi |
| 222. Mugya Modi | 278. Tupni Devi |
| 223. Surji Devi | 279. Balika Devi |
| 224. Jagni Devi | 280. Shibu Mahto |
| 225. Kanand Mahto | 281. Chandra Kant Bauri |
| 226. Ashok Shima | 282. Legen Bauri |
| 227. Losjpr Shis | 283. Tulabi Devi |
| 228. Jagdish Sahis | 284. Rameswar Paswan |
| 229. Munna Sahis | 285. Jethu Bhuiya |
| 230. Kimwa Turin | 286. Mital Sahis |
| 231. Madan Bauri | 287. Radhiya Devi |
| 232. Muktar Ali | 288. Murti Devi |
| 233. Mukund Bouri | 289. Hamali Devi |
| 234. Gowind Bhuiya | 290. Dai Manti Devi |
| 235. Babu Lal Manjhi | 291. Sahdeo Paswan |
| 236. Badni Udaga | 292. Dalau Paswan |
| 237. Hari Munda | 293. Kalka Devi |
| 238. Sokha Munda | 294. Mohan Paswan |
| 239. Chhotu Munda | 295. Mohan Paswan |
| 240. Shanichr Munda | 296. Moti Paswan |
| 241. Upasi Munda | 297. Shiv Paswan |
| 242. Parwati Munda | 298. Maran Paswan |
| 243. Soshila Munda | 299. Sulana Devi |
| 244. Rowari Mahtian | 300. Bhamo Devi |
| 245. Hari Pado Urao | 301. Ramaswar Bhuiya |
| 246. Sabidan Bibi | 302. Bhatu Bhuiya |

- | | |
|-------------------------|--------------------------|
| 303. Bachu Bhaiya | 359. Hare Ram Paswan |
| 304. Bachu Bhuiya | 360. Chhota Lal Paswan |
| 305. Sisi Bhuiya | 361. Prakash Paswan |
| 306. Naresh Bhuiya | 362. Gandu Miay |
| 307. Arjun Chaudhri | 363. Doma Paswan |
| 308. Yatwari Sao | 364. Rajendra Paswan |
| 309. Mathura Sao | 365. Keshar Bhiya |
| 310. Banarse Sao | 366. Mithai Lal Singh |
| 311. Badhani Majhian | 367. Shamu Mahte |
| 312. Saniya Majhian | 368. Supari Lal Singh |
| 313. Hetu Munda | 369. Lan Y.B.P. |
| 314. Malti Urao | 370. Urmila Mahtain |
| 315. Ganesh Paswan | 371. Kaliwati Turi |
| 316. Nandak Rawidas | 372. Mithu Turi |
| 317. Lallu Paswan | 373. Bhola Paswan |
| 318. Ram Paswan | 374. Bhuneswari Turi |
| 319. Ram Bhaiya Paswan | 375. Kisun Singh |
| 320. Sahdeo Das | 376. Ram Bilas Bhuiya |
| 321. Rajendra Rawidas | 377. Kara Bhuiya |
| 322. Chhetan Bhuiya | 378. Munuk Bhuiya |
| 323. Munma Dusadhin | 379. Puna Bhuiya |
| 324. Jainti Dusadhin | 380. Lakchmi Bhuiya |
| 325. Sasni Mahtain | 381. Arjun |
| 326. Rameswar Bhuiya | 382. Chutan Bhuiya |
| 327. Tilar Bhuiya | 383. Munia Turi |
| 328. Parwati Bhuiya | 384. Sumia Bhuiya |
| 329. Kamal deo Paswan | 385. Shankar Bhuiya |
| 330. Arijun Bhuiya | 386. Jagtu Urao |
| 331. Budhan Turi | 387. Naresh Riasan |
| 332. Shiv Sharan Bhuiya | 388. Durga Munda |
| 333. Suraj Bhuiya | 389. Kanhaiya Munda |
| 334. Rameswar Bhuiya | 390. Budhani Munda |
| 335. Dalka Bawri | 391. Mangla Munda |
| 336. Ramji Paswan | 392. Musari Munda |
| 337. Kamal Bhuiya | 393. Chhabbi Munda |
| 338. Kali Raiwar | 394. Kajli Modin |
| 339. Rameswar Kel | 395. Najma Miay |
| 340. Rajia Devi | 396. Manan Miay |
| 341. Sukhdeo Mahte | 397. Md. Alam |
| 342. Sona Mahte | 398. Rukia Mahtain |
| 343. Janaki Mahte | 399. Luhia Mahtain |
| 344. Geur Urao | 400. Sawia Thakuain |
| 345. Gopal Sah's | 401. Pan Mani Majhian |
| 346. Dulali Devi | 402. Shankar Mahte |
| 347. Budhwara Bibi | 403. Bajrang Singh |
| 348. Shanti Medin | 404. Mahawir Singh |
| 349. Sudamaday Devi | 405. Somar Manjhi |
| 350. Bachani Devi | 406. Wasani Rajwarin |
| 351. Sarawatiy Devi | 407. Samsul ansari |
| 352. Mithu Bhuiya | 408. Tilak Dhari Yadav." |
| 353. Gopi Munda | |
| 354. Kailash Sah | |
| 355. Pravu Mahte | |
| 356. Dilip Bhuiya | |
| 357. Ganesh Turi | |
| 358. Brahmdeo Paswan | |

2. Copies of the aforesaid order referring the aforesaid dispute were forwarded, besides others, to the Divisional Manager (Collieries), Messrs Tata Iron and Steel Company Limited, at and Post Office Jamdoba, District Dhanbad and to the following three labour unions, namely, (1) General Secretary, Bihar

Colliery Kamgar Union, Temple Road, Refugee Market, District Dhanbad, (2) General Secretary, Janata Mazdoor Sangh, Vihar Building, Post Office Jharia, District Dhanbad and (3) Branch Secretary, Rashtriya Colliery Mazdoor Sangh, Sijua Colliery Branch, Post Office Bhelatand, District Dhanbad.

3. The Bihar Colliery Kamgar Union, which is the main contestant in this case, has filed a written statement and it has contested the case till the end. The Rashtriya Colliery Mazdoor Sangh had also appeared and filed a written statement and in the early stages of the hearing some of the management's witnesses were also cross-examined on its behalf but later on this union ceased taking interest in the case and the management's witnesses who were subsequently examined were neither cross-examined by it nor any evidence was led on its behalf and Sri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh, who had been earlier appearing in this case on its behalf, also ceased appearing and he was also not present during the entire course of arguments. So far as the third union, namely, the Janta Mazdoor Sangh is concerned, no appearance was entered on its behalf. A written statement-cum-rejoineder has been filed on behalf of the management.

4. The case of the Bihar Colliery Kamgar Union is that among nearly half a dozen collieries of M/s. Tata Iron and Steel Co. Ltd. (hereinafter referred to as the Company), the company owns one named the Sijua-Bhelatand Colliery which has been made up by merging two of its collieries hitherto known as the Sijua Colliery and Bhelatand Colliery. The Sijua-Bhelatand colliery is one of the captive collieries of the Company, raising or producing coal for despatch by railway wagons exclusively to the Company's own steel works at Jamshedpur. The workmen required to load the wagons with coal were, as was the practice in all the coalfields in the country, recruited and in most cases and for all appearances employed by contractors to whom the job of loading coal into wagons was entrusted. The contractors, as a class, were notorious exploiters of their labour to whom they did not pay proper wages and the companies concerned also used to connive at such naked exploitation by pointing their finger at the contractor and saying that the contractor being their employer, they had nothing to do in the matter of any complaint of the contractor's workmen regarding non-payment or under payment or ill-treatment of any sort whatsoever by the contractor. The subject of abolition of contract system of employing labour for all kinds of jobs in Indian conditions had been under active consideration of various Commissions and Committees, beginning with the Royal Commission of Labour, appointed by the British Government before 1931. Almost all Committees or Commissions had recommended either abolition of the pernicious system altogether or enactment of some law regulating the functioning of the system in the ultimate interests of labour. Eventually, in the above background, the Central Government, as a first step in the right direction, enacted the Contract Labour (Regulation and Abolition) Act, 1970, which was brought into force by the Central Government, along with the Rules made thereunder, with effect from 10th February, 1971. In

terms of the said Act, while the contract system of employing labour for the execution of different jobs in the coal mines was permitted to continue, the employment of such labour was sought to be regulated and made subject to a number of restrictions while also placing both the principal employer and the contractor almost under surveillance making violation by them of any provision of the Act or Rules made thereunder a penal offence. Section 10 of the Act also vested the Central Government with powers to prohibit, by notification in the official gazette, employment of contract labour in any process, operation or other work in any establishment. In exercise of the aforesaid powers the Central Government had by its notification dated 1-2-1975 published in the Gazette of India dated 15-2-1975 prohibited employment of contract labour in the works, inter alia, of coal loading and unloading' in all coal mines. In the circumstance, continued employment of contract labour for wagon loading in Sijua-Bhelatand colliery of the Company was prohibited on and from 1-2-1975 and became illegal. The Company, however, violated the law and continued the contract system of loading coal into wagons as if the Government had issued no notification as aforesaid. The workmen who were alleged to have been employed by so-called contractors continued in the employment of the colliery performing the work of loading Company's coal for the Company's business of despatching the coal to its Steel Works at Jamshedpur. The company also continued to treat them as contractors' employees regardless of the fact that in law there could have been no contractors for such work after 1st February, 1975. When, however, the Company persisted in violating the law by continuing the contract system of wagon loading notwithstanding the aforesaid Government notification, the Regional Labour Commissioner (C), Dhanbad issued a show-cause notice to the Company as to why it should not be prosecuted for deliberately disregarding the said notification. Soon thereafter, the Company by its notice dated 18th October, 1978 forthwith terminated the contract of the contractors immediately with effect from 19th October, 1978 and simultaneously stopped the workmen concerned from doing the permanent work which they had continuously been doing for it till then.

5. It is further the case of the Bihar Colliery Kamgar Union that since after 1st February, 1975 also the Company did not formally abolish the contract till the 19th October, 1978 and the workmen continued to do the same work as ever before till they were stopped from doing it on 19th October, 1978, the question that poses itself for answer is, whose employees were they at least on and after 1st February, 1975 till their services were terminated by stoppage of work on 19th October 1978. The inescapable answer to the question can only be that they were Company's permanent employees doing permanent jobs whether or not they were officially recognised by the Company as such and were entitled to the status and privileges of Company's employees including security of service and protection of the Industrial Disputes Act, 1947 and also of the Standing Orders. Notwithstanding the said prohibitory notification of the Central Government, the company, however, illegally refused to treat

the workmen as its own employees and continued to style them as the employees of the contractors who, however, had no legal existence and whose factual existence, if at all, was illegal, rendering the Company liable for prosecution under section 23 of the Contract Labour (Regulation and Abolition) Act, 1970 as licensees which the contractors had till then must be automatically treated as being revoked on the Government issuing the notification of 1st February, 1975. In view of the said prohibition of employment of contract labour and in view of the admitted fact that the workmen concerned, i.e. those named in "Annexure-A" to the order of reference under adjudication, besides others not so named so far, had continued to work for the Company's business only, they were none other than Company's own employees and were not contractors' workmen, regardless of the Company's unlawful protestation to the contrary. In fact, inspite of the Company's protestation to the contrary, the Company itself also virtually accepted the workmen concerned as its own workmen by directly paying them at its own pay counter and on its own pay-sheets and from its own accounts their wages, variable dearness allowance, attendance bonus and annual bonus as it was paying to all its other workmen. Even prior to the prohibition of employment of contract labour by Government notification dated 1-2-1975, the workmen concerned who were said to have been employed by the contractors were deemed to be Company's employees under its own certified Standing Orders.

6. It is also the case of the Bihar Colliery Kamgar Union that when the Company stopped the workmen concerned from doing the work of loading and unloading of coal with effect from 19th October, 1978, the Company, without any notice as required in section 9-A of the Industrial Disputes Act, 1947 and in deliberate violation thereof, introduced the mechanical system of pay-loaders or loading coal into wagons in place of the hitherto prevalent manual system of the operation rendering the workmen concerned, who were manually doing the work till then, as surplus and, consequently, retrenched them without complying with the provisions of the law. Such introduction of the mechanical device for loading coal into wagons was done illegally and deliberately in violation of section 9-A read with items 10 and 11 of the Fourth Schedule of the Industrial Disputes Act, 1947 causing illegal retrenchment of over 408 workmen named in the Annexure 'A' to the order of reference on the only possible ground of their being surplus to Company's requirements. Such retrenchment was also void ab initio for want of non-compliance of the mandatory pre-conditions prescribed in Section 25F and 25N of the said Act. In the circumstance the retrenchment of the workmen concerned was non-existent and, therefore, the concerned workmen deserve to be reinstated in service as continuing in employment notwithstanding their illegal stoppage from work on and from 19-10-1978 and the Company's contention that it is under no obligation to re-instate them on the plea of their being contractors' employees cannot be accepted in law. The action and attitude of the Company, which had resulted in the innocent workmen being thrown out of employment and exposed to utter starvation and priva-

tions, was not only unjustified and maladroit, involving unfair labour practice, but it also revealed its attitude of callous vindictiveness towards those who had slaved for it for years.

7. It is next the case of the Bihar Colliery Kamgar Union that when the services of the workmen named in Annexure 'A', besides many more, were terminated by the Company by suddenly stopping them from work with effect from 19-10-78 which they had ever been doing, the Bihar Colliery Kamgar Union, with whose representatives the Company could not sit for discussion even before the Asstt. Labour Commissioner (C), Dhanbad, raised an industrial dispute with the Company demanding their reinstatement. The Company, of course, could not condescend to reply to the Union, but it took the stand before the Asstt. Labour Commissioner (C), Dhanbad in conciliation proceedings, by separate communication addressed to him, that the workmen who had been stopped from work on and from 19th October, 1978 were not Company's employees but were some contractors' workmen and that therefore, it committed no contravention of any law. On failure of the conciliation proceeding before the Asstt. Labour Commissioner (C), Dhanbad, the Central Government referred the dispute to this Tribunal for adjudication.

8. The contention of the Bihar Colliery Kamgar Union, therefore, is that all the three items of dispute referred for adjudication may be decided in favour of the concerned workmen and they may be reinstated with effect from the date of their stoppage from work on 19-10-1978 with continuity of service and full back wages for the period of their forced unemployment from 19-10-1978 till their reinstatement.

9. The case of the Rashtriya Colliery Mazdoor Sangh is that the Company has severeral collieries including Sijua-Bhelatand Colliery under its ownership, management and control, and the majority of the permanent workers of Sijua-Bhelatand colliery are members of the Rashtriya Colliery Mazdoor Sangh which is recognised by the Company as representative Union. The work through contract system has been the course for the coal mining industry and at various levels over the decades suggestions were made to abolish contract work system as far as practicable. The Central Government constituted two Courts of Enquiry to enquire into the problems of contract system prevailing in the coal mining industry, and, after due scrutiny of the reports of the Courts of Enquiry, prohibited contract system in the coal mining industry vide notification dated 1-2-1975 with regard to the coal loading and unloading, besides some other work. Since the publication of the above notification the Rashtriya Colliery Mazdoor Sangh had been pressing the Company to abolish contract system in some of the above operations which were in existence in its collieries including Sijua-Bhelatand Colliery and the management had also agreed to abolish the contract system in the prohibited categories. There are two mechanised loading plants, one at Sijua and the other at Bhelatand collieries for loading coal into railway wagons. In addition to the same there is a mobile 'pay loader' which is utilised for loading coal into wagons in case of temporary break down in the loading plants. Inspite of the above mechanised arrangements, manual loading was requir-

ed under certain circumstances, such as, when closed wagons were supplied by the Railway or when there was prolonged breakdown in the loading plants or pay loader or when shale picking was to be done in order to improve the quality of coal according to Steel Plant requirement or when spilled coal collected on the loading lines. Although the number of men employed by the contractors for the aforesaid jobs was very large, the Rashtriya Colliery Mazdoor Sangh vehemently opposed the employment of contract labour in violation of the prohibitory orders issued by the Government and demanded immediate abolition of the contract system and have the jobs done by direct employment. The company went on pleading that shale picking and manual loading was only a temporary feature and they would not require any workers through contractors because the manual loading would be completely eliminated in the near future. Having failed to induce the company to abolish the contract system, the Rashtriya Colliery Mazdoor Sangh made a complaint to the appropriate Government for suitable steps. On receipt of this complaint, the Regional Labour Commissioner (C), Dhanbad intervened and called upon the management to abolish the contract system in loading of coal wagon with immediate effect. At the instance of the Rashtriya Colliery Mazdoor Sangh and on pressure from the Government, the Company ultimately agreed to abolish contract system in wagon loading with effect from 19th October, 1978. It was also agreed to absorb as many contractors' men as possible as departmental labour the basis of certain criteria, such as, seniority in service, attendance during employment, existing employees dependants, local residents, etc. In view of the aforesaid facts and circumstances, the Company should have implemented the agreed principles with due compliance of statutory formalities which they have not done and hence the present reference. Even at this stage the Company should come forward to implement the agreed provisions and provide with suitable employment to the legitimate workmen. The unilateral action of the management of the Company in by-passing the issue of providing employment to the legitimate workmen cannot be justified. All the three items of dispute mentioned in the scheduled to the order of reference are inter connected and cannot be separated from one another and, as such, the issues be treated accordingly in the greater interest of the affected workmen. Lastly, the Rashtriya Colliery Mazdoor Sangh has prayed that it be held that the action of the management in stopping the workmen concerned with effect from 19.10.1978 is not justified and that with the prohibition of contract system the workmen should have been absorbed in respective job and the management was not justified in throwing them out and that such workmen should be taken back into employment with suitable back wages.

10. The case of the Management, on the other hand, is that M/S. Tata Iron and Steel Co. Ltd. is a public limited company with its registered head office at Bombay and its works at Jamshedpur where it is engaged in the manufacture of steel and other connected products. For the purpose of manufacturing

steel at its works, the Company has a few captive coal mines including Sijua-Bhelatand Collicry, for having speedy and regular supply of coal for consumption in its Steel Plant. The Company has two coal washing plants to reduce the ash contents of coal and to make it adaptable to its blast furnaces at Jamshedpur. Coal mining operation has been nationalised and several Government companies have come into existence but the captive mines of the steel industry were neither nationalised nor their management was taken over. The objectives of the coal mining operation of the Company are to supply coal exclusively to the steel plant at Jamshedpur, unlike other coal mines of the public sectors which are engaged in the business of production and sale of coal without any particular requirement, need, emphasis etc. in relation to steel industry. There is a constant endeavour on the part of the Company to adopt new processes and methods to improve productivity and adjustability to the growing expansion programme of steel and latest methods have been devised for movement of coal by adhering to the stringent safety regulations and laws of the country. Loading of coal into the railway wagons at the colliery is more or less mechanised and there is a constant endeavour to bring it as per with the best operated mines. The engagement of contract labour is incidental and not of perennial nature or of sufficient duration and in view of the small number of collieries owned by the Company for its Steel Plant requirement and the erratic supply of railway wagons at the siding it cannot have a regular departmental permanent force to attend to loading in case of mechanical failures in the woter of loading and unloading. This situation, however, does not obtain in either public sector collieries where it is possible for the said collieries to keep a permanent departmental work force to attend to such failures by deploying them from one colliery to the other.

11. The further case of the Company is that it introduced pay loaders for the loading of coal into railway wagons and for other ancillary jobs in the year 1965-66, when three Hough Pay loaders were introduced. In the year 1972 one of the Pay loader got burnt and two were in limping operation which required repairs. Orders had already been placed for further expansion and substitution of pay loaders as the said pay loaders were not allowed to be imported from outside the country. Indigenously made new pay loaders supplied progressively in August, 1975 and in April, 1978 were put into operation consequent upon the mechanisation already resorted to in the year 1965-66. The mechanised screening plant loading has been in operation from long before 1965-66. The contract labour was required to supplement the departmental workers in the matter of loading in the event of breakdown of the mechanical loading system to maintain efficiency. It was also essential when direct despatch of coal within a short notice was required by the Steel Plant to maintain efficiency in the Steel Plant by providing continuous supply of coal of a particular quality and quantity. This requirement was intermittent, sporadic and for a short duration, and a sufficient number of workmen

could not be employed on a wholetime basis.

12. It is also the case of the Company that on the issue of the notification dated 1-2-1975 abolishing contract labour, the company communicated to the Secretary, Department of Labour, Central Government, that the Company was not in favour of getting coal loading and unloading done through contract labour and the same was being done by the company's pay loaders and unloading was being done by tillers and the screening plant with the help of departmental workmen, but the mechanical equipments i.e., pay loaders and the screening plant having failed for technical reasons and as immediate repairs thereof could not be made, the Company was forced to resort to manual loading and unloading through contractors' labourers.

13. It is next the case of the Company that there has been no dispute between the management and its workmen at any stage with respect to wagon loading and the persons referred to in schedule-A are not the workmen of the Company's establishment. The Bihar Colliery Kamgar Union which has raised the present dispute is also not a representative union of the establishment and therefore it has no locus standi to raise any dispute which could be converted into industrial dispute in relation to which there can be a competent reference for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947. Even a responsible union of the establishment is not competent to raise a dispute with respect to non-workmen and/or outsiders. The dispute can only be raised with respect to persons where admittedly employer-employee relationship exists and then only it can be a subject matter of dispute between the employers and its workmen. The union at whose instance the instant reference has been made may be a union of contractors' labourers and it could be justified in raising a dispute between the said workmen and their employers, namely, the contractors, but not with respect of the company and it has no locus standi to raise any demand in relation to the company. The persons named in Schedule A to the order of reference are not in the employment of the company is writ large in item No.3 of the schedule to the order of reference itself as it envisages a demand of absorption and employment with respect to the persons named in Schedule A. The Central Government erred in law in forming an opinion regarding the existence of industrial dispute inasmuch as the existence of relationship of employer-employee is a pre-condition for an industrial dispute. The Rashtriya Colliery Mazdoor Sangh which operates in the establishment and which is a union of the workmen of the establishment did not raise the dispute relating to the present reference before the Government. Never any demand had been raised with respect to the persons enumerated in Annexure A to make provision for their employment before the management or even before the Asstt. Labour Commissioner (C). The names given in Annexure A of the schedule to the order of reference are extremely vague as there is no parentage, home address or anything of that kind to identify them. As a matter

of fact, a mere perusal of the said list would show that there are numerous persons of the same name appearing against various serial numbers.

14. It is also the case of the Company that under the Contract Labour (Regulation and Abolition) Act, 1970, the contractors were required to make payments to their workers in presence of the representative of the Company and the company used to be given wage sheets prepared by the contractors on the basis whereof attendance bonus and variable dearness allowance used to be provided by the company to be paid to the contractors' workers, wherefrom it appears that there are a large number of persons of the same name but with different surnames and different parentage working under different contractors. In view of such state of affairs the reference is bad because of its vagueness and in spite of the demand of the particular made in the company's petition dated 19-2-79 the union failed to furnish the same which ex facie shows that most of the persons named in Annexure A of the Schedule to the order of reference are fictitious and/or those who never worked in the establishment of the company even as contractor's workers. Because of the vagueness and indefiniteness the company is unable to file an effective reply to show as to how many days in a month such persons have worked in the establishment as contractors' labourers.

15. As regards item No. 1 of the dispute mentioned in the schedule to the order of reference, the specific case of the management is that the mechanical technique of loading was introduced as far back as in the year 1965-66 in accordance with law, which has got nothing to do with the stoppage of the contract labour on and from the 19th October, 1978. The mechanical technique of loading having already been adopted by the establishment as far back as in the year 1965, i.e. 14 years before the date of the reference, with the consent of the workmen and the union of the workmen, the replacement, repair and increase in the existing mechanised system will not at all call for the attraction of section 9A of the Industrial Disputes Act, 1947. Further the notice under section 9A is not required to be given to the contractors' labourers who are not workmen of the company, nor the stoppage of the contractors' labourers is due to the mechanical pay loaders but because of the prohibition of employment of contract labour in the work of loading and unloading of coal by Government notification dated 1-2-1975 issued under section 10 of the Contract Labour (Regulation and Abolition) Act, 1975 and also because there was a threat of prosecution for continuance of the said contract labour system in view of the prohibition notified by the Government. As a matter of fact on 27-7-78 and 23-9-78 the Company was threatened by issuance of show cause notices for immediate abolition of contract labour in the establishment with respect of loading and unloading of coal, pursuant to which on 19-10-78 the company had to abolish the said system and also had to suffer initiation of a criminal prosecution on 26-10-78 under section 23 of the Contract Labour

(Regulation and Abolition) Act, 1970 for having continued the said system in the establishment inspite of its prohibition. The stoppage of work, therefore, is not because of the working of mechanical pay-loaders, but because of the direction and threat contained in the show cause notices issued by the appropriate Government. Even when total abolition of contract system in the Sijua-Bhelatand colliery of the company was contemplated by the Management, the very same Bihar Colliery Kamgar Union was instrumental in creating law and order problems leading to submission of report by the police on complete termination of the contract system as a result of which the Sub-Divisional Magistrate, Dhanbad, started a proceeding under section 144 of the Code of Criminal Procedure on 21-10-1978 against the company for introduction of pay-loaders and similarly proceedings under Sec. 107 of the Code of Criminal Procedure were also drawn up on 7-10-1978 against the Company for the ill-feeling created by abolition of the contract system. The Company had to challenge the legality of these proceedings before the Hon'ble Patna High Court (Ranchi Bench). The contractors' labourers are, therefore, not entitled to any relief under Item No. I of the schedule to the order of reference.

16. So far as Item No. 2 of the dispute mentioned in the schedule to the order of the reference is concerned, it is the specific case of the management that it is consequential to the abolition of the contract labour and no sooner that contract labour system was terminated, the contractors had to withdraw their workers from loading and unloading work and there is no question of termination of the employment of the contractors' labourers by the company and all that the company did was to terminate the contract system pursuant to the Government direction and show cause notices. The company also could not terminate the services of someone else's, employees, namely, the contractor's labourers. The contractors' labourers work in different establishments and they are not depending upon this particular job of wagon loading in the establishment. Neither the Contract Labour (Regulation and Abolition) Act, 1970, nor the notification dated 1-2-1975 issued under Section 10 thereof ever provided that the contractors' labourers have to be given employment by the company or that on termination of contract labour system, the contractors' labourers should be absorbed by the company. Therefore, the contention of the Union that since the contract labour system was continued for sometime even after its prohibition, the contractors' labourers automatically became the workmen and permanent employees of the company is wholly misconceived and a figment of imagination. Their employment is sporadic for specific purposes of temporary nature and the contractors engage them and deploy them at various establishments, depending upon the availability of a particular workman at a particular time and they are casual labourers of the contractor. For example, if a person is attached to the contractor on a particular day and is brought to the establishment for doing the job of the contractor, on a subsequent occasion the said

person may not be available for the said work and some different person is brought by the contractor to do the said job. The contractors' labourers are of floating nature and, therefore, there is no question of termination of their employment. Their deployment, and termination is inbuilt in their engagement by the contractors, depending upon the persons' availability by the contractor and subject to the availability of the job in the establishment. The persons who were employed by the contractors during the last two years, whether mentioned in the list in Annexure A of the Schedule to the order of reference or beyond the list, had never worked continuously for a year and/or for 240 days in a year and majority of them had worked between 5 to 30 days in a year and hardly one or two had worked beyond the said period but always less than 240 days in a year and that too intermittently. The workmen, therefore, are not entitled to any relief under Item No. 2 of the schedule to the order of reference.

17. With respect to Item No. 3 of the dispute mentioned in the schedule to the order of reference, the specific case of the management is that in absence of the details in Annexure A, the said item is vitiated in law. The management is not in a position to make provision for their employment as the entire loading and unloading of coal is done through the departmental force with the help of pay-loaders and screening plant operation in the establishment. The company had no economic control over the workers of the contractors and their employment in substance and in real life term is by the contractors. Their livelihood depended upon their working in various other establishments and not on the labour rendered in the company establishment and there is no real life bond between them and the company. Moreover, these workers were working under commissioned contractors. Under the Mines Act the manager is required to have strict vigilance and disciplinary control as to the safety in mining operations and, therefore, any one who is connected with the mine, either for wages or not, would be deemed to be employed in the mining operation, as per definition in section 2(h) of the Mines Act. For the said reasons a consequential provision was required to be made in the certified Standing Order of the coal mining industry and, therefore, a wide definition was given to the word 'employee' as a person engaged by the company or by the contractor. The interpretation of the word 'employee' in the certified Standing Order came to be considered in Appeal Case No. Cal. 45 of 1954 by the Labour Appellate Tribunal consisting of Shri L.K. Jha, Ex-Chief Justice of the Patna High Court and Shri K.M. Siddique, wherein it was held that the said definition in the Standing Order was required only for the purpose of having control over all the employees, whether employed by itself or by their contractor, which will, however, not confer on such a person a right to be an employee of the company. The said definition is only for the purpose of the Standing Order and has to be confined to the Standing Order itself for a

specific purpose and it will not confer on contractor's workers the status of a workman of the company so as to attract the various provisions of the Industrial Disputes Act, 1947. The union was aware that there could be no industrial dispute raised by them in relation to the abolition and termination of contract labour and, therefore, they preferred to institute a civil suit bearing Title Suit No. 82 of 1978. The workmen concerned are, therefore, also not entitled to any relief in respect of item No. 3 of the dispute mentioned in the schedule to the order of reference.

18. On the aforesaid grounds, the contention of the management is that the reference be declared to be incompetent and wholly without jurisdiction of the powers of the Central Government to make a reference and it be further held that the workers are not entitled to any relief under any one of the items of dispute referred to in the schedule to the order of reference.

19. After having narrated above the respective cases of the parties as appearing from their written statements filed in this case, I would next like to dispose of a left over point in order dated 12-11-1981 of my learned predecessor Mr. Justice B. K. Ray (Retd.) As already mentioned above one of the points raised by the management in its written statement is that there had been no dispute between the management and its workmen at any stage with respect of wagon loading and never any demand had been raised with respect to the persons referred to in Annexure 'A' of the schedule to the order of reference, who are not workmen of the company's establishment, to make provision for their employment either before the management or even before the Asstt. Labour Commissioner (C). This point regarding failure to make demand was highlighted by the management by means of its two petitions dated 9-1-80 and 26-2-80. In its petition dated 9-1-80 it was mentioned that never any demand had been raised before the management with respect to the persons enumerated in Annexure A of the schedule to the order of reference for making provisions for their employment. This had obviously reference to item No. 3 of the dispute mentioned in the schedule to the order of the reference. In its other petition dated 26-2-80 the management took another ground that the demand with respect to item Nos. 1 and 2 of the dispute mentioned in the schedule to the order of reference had also never been raised with the management and therefore reference in relation to the said items are also incompetent. Thus the management highlighted its stand that no demand had been raised with the management with respect to either of the items 1, 2 or 3 of the dispute mentioned in the schedule to the order of reference and hence the present reference is incompetent and had pressed that its aforesaid contention may be decided as a preliminary issue before the case is taken up on merit.

19. To the aforesaid petition dated 9-1-80 of the management, the Bihar Colliery Kamgar Union had filed a rejoinder dated 26-2-80 in which it asserted

that the Bihar Colliery Kamgar Union had definitely raised and sponsored an industrial dispute by its registered letter dated 25-10-78 (Ext. W-8) written by Sri A.K. Roy, President, Bihar Colliery Kamgar Union to the Divisional Manager (Collieries), M/s. Tata Iron & Steel Company Ltd., Jamadoba, Dhanbad with copies to all the authorities concerned including the Regional Labour Commissioner (C), Dhanbad, as will be clear from the records of the Asstt. Labour Commissioner (C), Dhanbad, which are available for reference by all the parties as the said records have been called for by the Tribunal and are now before it. The Assistant Labour Commissioner (C), Dhanbad had also sent a copy of the union's letter to the company. There was in the circumstance no element of surprise to the employer whatsoever when the reference was made on 17-1-79, the management being all along aware of the dispute now before the Tribunal. It further submitted that no particular form has been prescribed for raising an industrial dispute with the employer and that even before it had raised the dispute with the employer and had also referred the matter to the Asstt. Labour Commissioner (C), the employer was aware of the nature of the dispute under reference as was clear from its comments sent to the Assistant Labour Commissioner (C) in reply to the letter's communication with which a copy of the said letter Ext. W-8 of the Bihar Colliery Kamgar Union addressed earlier to the employer on 25-10-78 was also enclosed and there being no specific form prescribed in the Act or Rules for raising of an industrial dispute, communication of the dispute by the conciliation officer to the employer by forwarding a copy of the union's aforesaid letter dated 25-10-78 (Ext. W-8) also amounts to directly raising a dispute with the employer. It further asserted that in the present case, however, the Bihar Colliery Kamgar Union had also directly raised a dispute with the management by directly addressing the said letter dated 25-10-78 (Ext. W-8) to the management which also had participated in conciliation proceeding though only by submitting its comments to the conciliation officer.

20. This matter was disposed of by my learned predecessor by his order dated 12-11-1981 after hearing the parties. In course of the said hearing another letter dated 13-11-78 (Ext. M-103) was also produced by Sri D. Narsingh, Advocate, appearing for the Bihar Colliery Kamgar Union which was written by Sri S.K. Bakshi, General Secretary, Bihar Colliery Kamgar Union to the Asstt. Labour Commissioner (C), Dhanbad. From a reading of the aforesaid order dated 12-11-81 passed by my learned predecessor it appears that it was argued before him by Sri S. B. Sanyal, Senior Advocate, (now a Judge of the Patna High Court), who was then appearing on behalf of the management, that a reading of the said letter dated 25-10-78 (Ext. W-8) of the Bihar Colliery Kamgar Union does not show that any demand was made at least with regard to the first two items of dispute mentioned in the schedule to the order of reference. My learned predecessor, however, after considering and interpreting the

letters dated 25-10-78 (Ext. W-8) and 13-11-78 (Ext. M-103) of the Bihar Colliery Kamgar Union, held by his aforesaid order dated 12-11-81 that the said letters did, in substance, contain demands both in respect of item Nos. 1 and 2 of the dispute mentioned in the schedule to the order of reference and that the file relating to the conciliation proceeding showed that the Conciliation Officer gave notice of the two letters to the management and by his notice called upon the management to attend the conciliation proceeding and to have its say but the reply of the management was that the dispute raised by the union was not an industrial dispute and so no useful purpose would be served for the management by attending the proceeding and after this reply the proceeding continue ex-parte resulting in failure report which was forwarded to the Central Government by the Conciliation Officer. My learned predecessor, therefore, held that after reading the two letters dated 25-10-78 (Ext. W-8) and 13-11-78 (Ext. M-103) he was fully satisfied that by these two letters demand was made to the management which covers both the first and second item of dispute mentioned in the schedule to the order of reference. He, therefore, held that the reference in respect of the first two items of dispute mentioned in the schedule to the order of reference is not bad for want of demand and is valid.

21. From a reading of the aforesaid order dated 12-11-81 of my learned predecessor it further appears that coming to the third item of dispute mentioned in the schedule to the order of reference, Shri Sanyal appearing for the management had conceded that it was substantially covered by the demand made in letter dated 25-10-78 (Ext. W-8) of the Bihar Colliery Kamgar Union but he said that the language used in the said third item of dispute shows as if the demand of the workmen is for their fresh employment under the management. He further argued that an industrial dispute can only exist where there exists relationship of master and servant between the parties and the dispute is connected with the employment or non-employment or terms of employment or with condition of labour of any person, and so when the language used in the third item of dispute shows that the workman's demand is for making provision for their employment by the management, such a dispute cannot be an industrial dispute as contemplated by law. But Sri Sanyal for want of time could not complete his argument on the third item of the dispute and the case was adjourned to 30-10-81 to further hear Shri Sanyal, who, however, due to his pre-engagement elsewhere, could not be present before the Tribunal on the adjourned date to complete his argument and a petition for time was filed by the management on that date, but, as the case was an old one, my learned predecessor did not think it proper to adjourn the case any further and directed that the point raised by Shri Sanyal regarding the third item of the dispute would be taken up for consideration while deciding the entire case on merit after recording evidence led by the parties. It is the said preliminary

points raised by Sri Sanyal regarding (i) non-making of any precise demand in regard to the third item of dispute mentioned in the schedule to the order of reference and (ii) regarding non-existence of employer-employee relationship between the company and the concerned workmen and consequently absence of any "industrial dispute" as contemplated under the Industrial Disputes Act, 1947 which had been left over by my learned predecessor to be decided while deciding the entire case on merit after recording evidence led by the parties, that now calls for decision.

22. I will have occasion to consider the point raised by Sri Sanyal regarding non-existence of employer-employee relationship between the company and the concerned workmen and consequently absence of any "industrial dispute" as contemplated under the Industrial Disputes Act, 1947, at a later stage of this award and at this stage I propose to dispose of only the point concerning non-making of any demand in regard of the 3rd items of the dispute.

23. From a reading of the aforesaid order dated 12-11-1981 passed by my learned predecessor it would clearly appear that Shri Sanyal, Advocate appearing for the management had really pressed his contention regarding non-making of demand to the management only in respect of item nos. 1 and 2 of the dispute mentioned in the schedule to the order of reference which was negatived by my learned predecessor, and not in respect of item no. 3 of the dispute in respect of which he had conceded that it was substantially covered by the demand made in the letter dated 25-10-78 (Ext. W-8) of the Bihar Colliery Kamgar Union and had only stated that the language used in the 3rd item of dispute shows as if the demand of the workmen is for their fresh employment under the management. It is no doubt, true that under item no. 3 of the dispute mentioned in the schedule to the order of reference it is stated whether the demand of the workman for provision of employment to the workmen mentioned in Annexure 'A' is justified, whereas in the concluding para of the letter dated 25-10-78 (Ext. W-8) written by Sri A. K. Roy, President, Bihar Colliery Kamgar Union to the Divisional Manager (Collieries), M/s. Tata Iron and Steel Company Limited, Jamadoba, District Dhanbad it was stated that the action of retrenchment of the wagon loaders at Tata Sijua and Bhelatand collieries is illegal, arbitrary and motivated and must be undone at once with the absorption of the employees in the company's roll. It has, however, been held by the Supreme Court in M/s. Avon Services (Production Agencies) Pvt. Ltd. Vs. Industrial Tribunal, Haryana, Faridabad and others (1978-79) 15 SCLJ. 213 at page 220, that the language or the form in which the demand is couched is hardly decisive of the matter and the substance of the matter is as to what was the grievance of the workmen complained of by them or espoused by the union and what the Industrial Tribunal is called upon to adjudicate. Viewed from this angle, the item No. 3 of the dispute mentioned in the schedule to the order of reference is the same which was espoused and raised by the President

of Bihar Colliery Kamgar Union in his letter dated 25-10-78 (Ext. W-8) addressed to the Divisional Manager (Collieries), M/s. Tata Iron & Steel Co. Ltd., Jamadoba, District Dhanbad with copy to the Regional Labour Commissioner (C), Dhanbad for his immediate intervention under the Industrial Disputes Act, 1947. In the circumstance, it is held that there was a demand in the union's aforesaid letter dated 25-10-78 (Ext. W-8) regarding the subject matter of claim in respect of the 3rd item of dispute also mentioned in the schedule to the order of reference.

24. After having, thus, disposed of the aforesaid left over point in the order dated 12-11-81 of my learned predecessor in respect of demand in regard to the 3rd item of dispute mentioned in the schedule to the order of reference, I would now like to turn to the oral and documentary evidence adduced in this case. But before doing so it would be appropriate to refer to certain decisions cited in the course of arguments about the rights of the parties and powers of the Tribunal on a reference made by appropriate Government under section 10 of the Industrial Disputes Act, 1947. In this connection Sri D. Nausingh, Advocate, appearing on behalf of the Bihar Colliery Kamgar Union in course of his arguments referred to the Supreme Court decisions in the cases of Delhi Cloth and General Mills Co. Ltd. Vs. Workmen and others (1950—67) 4 SCLJ. 2307 ; Pottery Mazdoor Panchayat Vs. Perfect Pottery Co. Ltd. and others (1978-79) 15 SCLJ 208 ; Jaipur Udyog Ltd. Vs. Cement Work Karmachari Sangh, Sahu Nagar (1972) 9 SCLJ. 267 and Workmen of M/s. Hindustan Liver Ltd. and others Vs. the management of M/s. Hindustan Liver Ltd. (1984)(I)(LLJ.383). Sri T. K. Prasad, Senior Advocate, appearing for the management has not disputed the propositions of law laid down by the Supreme Court in the aforesaid decisions. He has, however, also cited in this connection a decision of the Orissa High Court in the case of Secretary Cuttack Motor Association and another Vs. State of Orissa and others (1973 (II) LLJ. 547). It would be useful to briefly refer to the aforesaid decisions.

25. In the case of Delhi Cloth and General Mills Co. Ltd. Vs. Workman and others (*supra*) in the order of reference an issue was framed on the basis that there was a strike and there was a lock-out and in such a situation it was held that on the issue as framed it would not be open to the workmen to question the existence of strike, or, to the management to deny the declaration of a lock out, and the parties were to be allowed to lead evidence to show that the strike was not justified or that the lock out was improper, and it was for the Industrial Tribunal to examine the facts and circumstance leading to the strike and the lock out and to come to a decision as to whether one or the other or both were justified.

26. In the case of Pottery Mazdoor Panchayat Vs. Perfect Pottery Co. Ltd. and other (*supra*) the

very terms of the reference showed that the point of dispute between the parties was not the fact of the closure of its business by the respondent but the propriety and justification of the respondent's decision to close down the business, and that is why the reference was expressed to say whether the proposed closure of the business was proper and justified. In such circumstance, it was held by the Supreme Court that the reference being limited to the narrow question as to whether the closure was proper and justified, the Tribunal, by the very terms of the reference, had no jurisdiction to go behind the fact of closure and inquire into the question whether the business was in fact closed down by the management.

27. In the case of Jaipur Udyog Ltd. Vs. Cement Work Karmachari Sangh, Sahu Nagar (*supra*) it has been held that it is not open to a Tribunal to enlarge the ambit of the dispute between the parties.

28. In the case of Workmen of M/s. Hindustan Liver Ltd. and others Vs. the Management of M/s. Hindustan Liver Ltd. (*supra*) it has been held that the Tribunal cannot travel beyond the pleadings and arrogate to itself the power to raise issues which the parties to the reference are precluded or prohibited from raising, to wit if the employer does not question the status of the workmen, the Tribunal cannot *suo moto* raise the issue and proceed to adjudicate upon the same, as there is no such obligation cast statutorily on the Tribunal. Conversely, it follows, if the employer raises the question regarding the status of the workmen, as in the instant case the company has done, the Tribunal is under an obligation to decide the status of the workmen. In the case of Secretary, Cuttack Mazdoor Association and another Vs. State of Orissa and others (*supra*) it has been held, after relying on a decision of the Supreme Court in the case of State of Madras Vs. C. P. Sarathy (A.I.R. 1953) (SC) (53), that after a reference is made under section 10 of the Industrial Disputes Act, 1947 by the appropriate Government on its subjective satisfaction that an "industrial dispute" exists, which is an administrative act of the appropriate Government, it is open to one of the litigating parties before the Tribunal to dispute the existence of employer employee relationship between the parties and contend that what has been referred is not an "industrial dispute" between the parties within the meaning of section 2(k) of the Industrial Disputes Act, 1947.

29. After having, thus, briefly referred to the decisions cited regarding the rights of the parties and powers of the Tribunal on a reference made under section 10 of the Industrial Disputes Act, 1947, I shall now turn to the oral and documentary evidence adduced by the parties and the law on the points in dispute.

30. On behalf of the management 15 witnesses have been examined and 103 documents have been exhibited which have been marked as Exts. M-1 to M-103. Similarly, on behalf of the Bihar Colliery Kamgar Union 3 witnesses have been examined and

8 documents have been exhibited which have been marked Exts. W-1 to W-8. As already mentioned earlier though Rashtriya Colliery Mazdoor Sangh had appeared and filed a written statement and in the earlier stages of the hearing some of the management's witnesses were cross-examined on its behalf, it later on ceased taking interest in the case and the management's witnesses who were subsequently examined were neither cross-examined by it nor any evidence was led on its behalf and Sri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh, who had been earlier appearing in this case on its behalf, also ceased appearing and he was also not present during the entire course of arguments. So far as the third union, namely, the Janta Mazdoor Sangh is concerned, no appearance was entered on its behalf.

31. The loading of coal into wagons at Sijua-Bhelatand colliery was admittedly being done through contract labour since before the coming into force of the Contract Labour (Regulation and Abolition) Act, 1970 on 10-2-1971 and after the coming into force of the Act also loading of coal into wagons through contract labour continued though it was statutorily regulated and controlled under the various provisions of the Act, and since the present dispute by and large centres round the subsequent prohibition of employment of contract labour in the work of coal loading and unloading by notification dated 1-2-1975 issued by the Central Government in the Ministry of Labour in exercise of the powers conferred by section 10 of the Act (a copy of the notification is annexure 1 to Ext. W-2), a conspectus of the statute, to the extent relevant, is necessary to appreciate the controversy between the parties. This Act was passed to regulate the employment of contract labour in certain establishments and to provide for the abolition in certain circumstance and for matters connected therewith. Section 2(b) of the Act provides that a workman shall be deemed to be employed as "contract labour" in or in connection with the work of an establishment when he is hired in or in connection with such work by or through a contractor, with or without the knowledge of the principal employer. Section 2(c) of the Act defines a "contractor" in relation to an establishment to mean a person who undertakes to produce a given result for the establishment, other than a mere supply of goods or articles of manufacture to such establishment, through contract labour or who supplies contract labour for any work of the establishment and to include a sub-contractor. Section 2(g)(iii) defines a "principal employer" in a mine to mean the owner or agent of the mine and where a person has been named as the manager of the mine, the person so named. A "workman" has been defined in section 2(i) to mean any person employed in or in connection with the work of any establishment to do any skilled, semi-skilled or un-skilled manual, supervisory, technical or clerical work for hire or reward whether the terms of employment be express or implied, but not to include certain categories of employees mentioned therein which it is not necessary to quote. Section 3 of the Act provides for constitution of the Central Advisory Contract Labour

Board to advise the Central Government on such matters arising out of the administration of the Act as may be referred to it and to carry out other functions assigned to it under the Act. Section 7 of the Act makes provision for registration of establishments to which the Act applies and Section 12 of the Act makes provision for licensing of contractors and Section 13 of the Act deals with grant of licence to contractors. Sections 16, 17, 18 and 19 of the Act enjoins on the contractors to make provisions for canteens, rest-rooms, supply of wholesome drinking water, sufficient number of latrines and urinals washing facilities and first-aid box equipped with the prescribed contents for the use and welfare of the contract labour employed by the contractor. Section 20 lays down the liability of principal employer to provide the aforesaid amenities for the benefit of the contract labour if they are not provided by the contractor and to recover all expenses incurred by the principal employer in providing the amenities from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor. By Section 21 the contractor has been made responsible for payment of wages to each worker employed by him as contract labour. Section 21 further provides that every principal employer shall nominate a representative duly authorised by him to be present at the time of disbursement of wages by the contractor and it shall be the duty of such representative to certify the amounts paid as wages and in case the contractor fails to make payment of wages within the prescribed period or makes short payment, then the principal employer shall be liable to make payment of wages in full or the unpaid balance due, as the case may be, to the contract labour employed by the contractor and recover the amount so paid from the contractor, either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor. Rule 74 of the Contract Labour (Regulation and Abolition) Central Rules, 1971 provides that every principal employer shall maintain in respect of each registered establishment a register of contractors in Form XII. Rule 75 provides that every contractor shall maintain in respect of each registered establishment where the employs contract labour a register of workmen employed by him in Form XIII giving their names and addresses. Rule 76 provides that every contractor shall issue an employment card in Form XIV to each of his worker, rule 77 provides that on termination of employment for any reason whatsoever the contractor shall issue to the workmen whose services have been terminated a service certificate in Form XV and rule 78 provides that in respect of establishments which are governed by the Payment of Wages Act, 1936 and the rules made thereunder or the Minimum Wages Act, 1948 of the rules made thereunder, the following registers and records required to be maintained by the contractor as employer under those Acts and rule made thereunder shall be deemed to be registers and records to be maintained by the contractor under these rules :—

(a) Muster Roll ;

- (b) Register of Wages ;
- (c) Register of Deductions ;
- (d) Register of Overtime ;
- (e) Register of fines ;
- (f) Register of advances.

Section 10 of the Act empowers the appropriate Government to prohibit, by notification in the Official Gazette, employment of contract labour in any process, operation or other work in any establishment, and Section 23 of the Act provides that whoever contravenes any provision of the Act or of any rules made thereunder prohibiting, restricting or regulating the employment of contract labour, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both, and in the case of a continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention. Section 24 of the Act provides that if any person contravenes any of the provisions of the Act or of any rule made thereunder for which no other penalty is elsewhere provided, he shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees, or with both. Section 25 of the Act provides that if the person committing an offence under the Act is a company, the company as well as every person in charge of, and responsible to, the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly and where an offence under the Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any director, manager or managing agent, he shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Section 30 of the Act provides that the provisions of the Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or in the terms of any agreement or contract of service, or in any standing orders applicable to the establishment whether made before or after the commencement of the Act.

32. I have given above a brief resume of the relevant provisions of the Contract Labour (Regulation and Abolition) Act, 1970 and the Contract Labour (Regulation and Abolition) Central Rules, 1971 from which the following propositions broadly emerge :—

(a) 'Contract labour', 'contractor' and 'principal employer' are statutorily defined and their relationship inter se is also statutorily laid down, regulated and controlled, as discussed above, from which it is clearly established that workmen employed as

contract labour are employees of the contractor who is enjoined by rule 75 of the Rules to maintain in respect of each registered establishment where he employs contract labour a register in Form XIII giving their names and addresses and who has further been made responsible under section 21 of the Act for payment of wages to each worker employed by him as contract labour, leaving no room for any doubt, speculation guess work or application of any other test to find out who is the real employer, as it is permissible to do where contractor's workers are employed by the owner of a factory under a private contractor entered into or a private arrangement resorted to between the owner and the contractor as a camouflage to conceal the real state of affairs regarding employee-employee relationship between the owner and the contractor's workers.

(b) the primary responsibility for providing canteen, rest rooms, supply of wholesome drinking water, sufficient number of latrines and urinals, washing facilities and first aid box for the use and welfare of contract labour employed by the contractor is that of the contractor, and it is again the contractor who is primarily responsible for making payment of wages to each of the workers employed by him as a contract labour and the maintenance of different forms of registers in connection with employment of contract labour including the register of workmen employed by the contractor is also the responsibility of the contractor.

(c) Section 10 of the Act empowers the appropriate Government to prohibit, by notification in the Official Gazette, employment of contract labour in any process, operation or other work in any establishment contravention whereof as also continuing contravention whereof are penal offence punishable under section 23 of the Act and the Act nowhere provides that continuance of employment of contract labour in any process, operation or work inspite of the prohibition will automatically convert the workmen employed as contract labour by the contractor into regular employees of the principal employer.

(d) The provisions of the Contract Labour (Regulation and Abolition) Act, 1970 have effect notwithstanding anything inconsistent therewith in any other law including the Industrial Disputes Act, 1947 or in the terms of any agreement or contract of service, or any standing orders applicable to the establishment whether made before or after the commencement of the Act.

33. It was on coming into force of the aforesaid provisions of the Contract Labour (Regulation and Abolition) Act, 1970 and the Contract Labour (Regulation and Abolition) Central Rules, 1971 on 10-2-1971 that the Chief Mining Engineer of the company by his letter dated 17-9-1971 (Ext. W-3) applied under section 7 of the Act and rule 17 of the Rules to the Asstt. Labour Commissioner (C), Dhanbad for registration of Sijua Colliery which had been employing contract labour. The said letter was accompanied by an application in Form I (Ext. W-3)

(2) giving the name and address of the principal employer, names and addresses of contractors, nature of work in which contract labour is employed or is to be employed and the maximum number of contract labour to be employed on any day through each contractor. A perusal of the said application in Form-I (Ext. W-2) would show that in that application the names and addresses of the 19 contractors were given and the nature of work in which contract labour was employed or was to be employed was mentioned in respect of some contractors as only wagon loading and in respect of some as wagon loading besides some other work like removal of overburden and transporting of coal or underground building and in respect of some others as white washing, colour washing and surface building and in respect of some others as miscellaneous jobs; and the maximum number of contract labour to be employed on any day through each contractor varied from 1 to 63. Along with the said letter a Treasury Challan [Ext. W-3 (1)] of Rs. 400 was also enclosed as registration fee. Ext. W-4(1) is another similar application in Form-I for registration of the Sijua Colliery in which the name and address of only one contractor was given and the nature of work in which the contract labour was employed of was to be employed was mentioned as underground stone underground building, loading job and surface building work and the maximum number of contract labour to be employed in any day through the contractor was mentioned as 40. Ext. W-4 is the certificate of registration dated 19-10-71 granted to the Sijua Colliery of the company by the Registering Officer and the Asstt. Labour Commissioner (C), Dhanbad, under sub-section (2) of section 7 of the Act.

34. Thus, after coming into force of the Contract Labour (Regulation and Abolition) Act, 1970 and the Contract Labour (Regulation and Abolition) Central Rules, 1971 with effect from 10-2-71, the employment of contract labour in Sijua Bhelatand colliery continued in different types of work including loading of coal into wagons within the four corners of the Act and the Rules which statutorily laid down that workmen employed as contract labour in any establishment by or through a contractor are the employers of the contractor and not of the principal employer which in the case of a mine means the owner or agent or manager of the mine. This validly continued for some years till the Central Government in exercise of the powers conferred on it under section 10 of the Act issued the notification dated 1-2-1975 (Annexure 1 to Ext. W-2) prohibiting employment of contract labour in certain works including coal loading and unloading. It is, however the admitted case of the parties that in spite of the aforesaid notification dated 1-2-1975 prohibiting employment of contract labour in coal loading and unloading, employment of contract labour in coal loading and unloading at Sijua-Bhelatand colliery continued unabated as before unmindful of the prohibition and this state of affairs was allowed to continue till sometime in the year 1978 when by letter dated 28-7-78 (Ext. W-5) the Labour En-

forcement Officer (Central), Katrasgarh, informed the company as well as Sri B. S. Rao, Divisional Manager (Collieries) and Sri A. K. Singh, Manager, Sijua colliery that during his inspection of Sijua colliery on 27-8-78 approximately 100 workers were found employed as contract labour in the work of loading of coal etc. and on checking the register of contractors in Form XII it was found that contract labour numbering 34 were employed on 6-7-78 on loading of coal in contravention of Central Government aforesaid notification dated 1-2-1975 issued under section 10 of the Act which had prohibited employment of contract labour in coal loading and unloading and called upon them to show cause within ten days of the date of issue of the letter as to why legal action should not be taken against them forthwith for the aforesaid contravention. It appears that cause was shown by letter dated 4/7-8-78 which was not found satisfactory by the Regional Labour Commissioner (C) Dhanbad, who, by his letter dated 22/23-9-78 (Annexure 2 to Ext. W-2), informed them that he had got the matter verified through the Labour Enforcement Officer (C) Katrasgarh, who had reported that they had still been employing contract labour on wagon loading which had been prohibited by the Government of India by notification dated 1-2-1975 and the arguments put forward by them for continuing the employment of contract labour on wagon loading work were not convincing and therefore they were again requested to stop wagon loading through contract labour with immediate effect failing which they were asked to show cause within ten days as to why legal action their prosecution should not be taken against them under section 23 and 24 of the Act for the aforesaid violation. It was thereafter that the Divisional Manager (Collieries) issued notices in form of letter dated 18-10-78 through the Manager, Sijua colliery individually to the contractors of Sijua colliery employing contract labour in loading coal into wagons informing them that contract system had been abolished in the collieries of the company to comply with the provisions of the Contract Labour (Regulation and Abolition) Act, 1970 as the continuance of the contract labour in the work of loading coal into wagons was violation of the aforesaid Act, and, in the circumstance, their contracts for wagon loading were being terminated with effect from 19-10-78, and Annexure 3 to Ext. W-2 is a specimen copy of such a letter dated 18-10-78 is sent to one of contractors name Sri L. P. Sharma of Sijua colliery through the Manager, Sijua Colliery. The Divisional Manager (Collieries) had also issued through the Agent, Sijua Colliery another letter dated 18-10-78 (Annexure 3A to Ext. W-2) informing him that the contract system of coal loading was being abolished in the collieries of the company with effect from 19-10-78 and hence the enclosed notice (a specimen of which is Annexure 3 to Ext. W-2) may be served on the contractor individually on 18-10-78 and compliance communicated by wireless telephone to be confirmed in writing.

35. It was this stoppage of employment of contract labour in the work of loading coal into wagons by the management with effect from 19-10-78 in

compliance of the letter dated 22/23-9-78 (Annexure 2 to Ext. W-2) of the Regional Labour Commissioner (C) who had threatened the company and its Divisional Manager (Collieries) and Manager, Sijua Colliery for their prosecution under sections 23 and 24 of the Contract Labour (Regulation and Abolition) Act, 1970 for violating the Government notification dated 1-2-75 (Annexure I to Ext. W-2) under section 10 of the Act prohibiting employment of contract labour in the work of loading and unloading of coal, which flared up a labour trouble on 19-10-78 in Sijua-Bhelatand colliery. Annexure 4 to Ext. W-2 is a first information report dated 19-10-78 lodged by the Security Officer of Sijua colliery before the Officer Incharge, Jogta Police Station informing that on 19-10-78 at about 3 p.m. while loading of wagons by the company's pay-loader and screening plant was in progress about 50 to 60 ex-wagon loading mazdoors or contractors led by Lodha Paswan, Birbal Mahato, Lalu Singh, Laldas Dusad and others raided the company's railway siding and forcibly stopped the operation of pay-loader and also stopped the screening plant loading, but subsequently the loading work again started at 4.45 p.m. with the intervention of the S.D.O. and the Magistrate who had arrived at the coal siding at about 3.45 p.m. The first information report, however, further stated that from the militant attitude of the contractor's mazdoors the management apprehended that they may again disrupt the wagon loading work at any moment during night, and, therefore, a request was made to continue giving necessary protection to the management at the loading points at Sijua and Bhelatand. This was followed by another letter dated 20-10-78 (Annexure 4A to Ext. W-2) written by the A.S.O., Sijua Group, to the Officer Incharge, Jogta Police Station informing him that on 20-10-78 at about 8 p.m. the management received information that the fireman of the railway, namely, Sri Babu Rao of the Pilot Engine, which had come to draw the loaded wagons from the Bhelatand siding, had been injured by brick batting by few persons at the Bhelatand siding. Annexure 4B to Ext. W-2 is yet another letter dated 21-10-78 written by the A.S.O. to the Officer Incharge, Jogta Police Station informing that on 21-10-78 at about 6 p.m. two persons came while others remained on the other side of the siding and threatened pay-loader operators who were cutting the jam to stop the pay-loaders whereupon the pay-loader operators stopped operation under this threat and about 8 to 10 persons were standing near the steps to force their entry in the siding and few of them who were standing near the bushes pelted stones also and in the meantime a fairly large crowd collected and at about 7.45 a.m. a gang of 30 to 40 ex-contractors' loading labourers led by Birbal Mahato, Moti Paswan, Mohan Paswan etc. entered the coal depot with an intention to stop the operation of two pay-loaders engaged for the purpose of stacking coal and when the company's security personnel advised them not to go towards the pay-loaders, Birbal Mahato threatened Sri A. P. Singh, Security Inspector and others saying that they would be

coming after sometime and would see whether he and his men would survive or they would survive and thereafter Birbal Mahato had been seen busy informing the ex-loading contractors' men and others to go to Shivmandir, Sijua immediately. The A.S.O. further informed in his said letter to the Officer Incharge, Jogta Police Station that it had been learnt that the loading contractor men were going to organise a large procession on 21-10-78 and that they might march to the Sijua colliery office when there might be very serious breach of peace by the mob which was being collected at the instigation of Birbal Mahato at Sijua Shivmandir. A request was made in the letter to ensure that none of them was allowed to enter the Sijua colliery premises including siding to avoid any untowards incident. This was, however, followed by starting of a proceeding under section 144 of the Code of Criminal Procedure by the Sub-Divisional Magistrate, Dhanbad by order dated 21-10-78 against (1) Sri B. S. Rao, Divisional Manager, Sijua Colliery, (2) Sri G. Prasad, Administrative Officer, Sijua Colliery, (3) Sri A. K. Singh, Colliery Manager, Sijua colliery prohibiting the management, Sijua-Bhelatand colliery and their subordinate officers and agents from introducing pay-loaders without providing alternative employment for the contract labourers and calling upon them to show cause by 28-10-78 as to why the aforesaid order should not be made absolute against them. Annexure 5A to Ext. W-2 is the ordersheet dated 21-10-78 of the Sub-Divisional Magistrate, Dhanbad starting the aforesaid proceeding under section 144 of the Code and Annexure 5 to Ext. W-2 is the notice dated 21-10-78 issued in pursuance of the aforesaid order. This appears to have been followed by a discussion between Sri R. H. Mody, Managing Director of the company and Sri Devdas Chotraji, Dy. Commissioner Dhanbad on 24-9-78, and Annexure 6 to Ext. W-2 is a D.O. letter of the same date subsequently written by Sri R. H. Mody to Sri Devdas Chotraji recapitulating the gist of what the Managing Director had to say to the Dy. Commissioner. In his said letter the Managing Director of the company had explained to the Dy. Commissioner his predicament in which, on the one hand, the Regional Labour Commissioner (C) was threatening to prosecute the management for non-abolition of the employment of contract labour in the work of loading coal into wagons and, on the other hand, the Dy. Commissioner had been, for reasons of law and order, requesting the management to continue with the employment of contract labour in the work of loading coal into wagons, wagons. In the said letter the Managing Director had also recorded that in course of discussion the Dy. Commissioner had agreed that the management had no alternative but to terminate the employment of contract labour in the work of loading coal into wagons and the Managing Director had also appreciated the concern of the Dy. Commissioner for the contract labour being thrown out of work, but at the same time the Managing Director beseeched the Dy. Commissioner to appreciate the fact that since the management had made alternative arrangement to do this work of loading coal into wagons without contract labour in the work of loading coal into wagons

without contract labour, it would not be possible for the management to engage any of the contract labourers so thrown out of work, apart from the fact that the management had a firm understanding with its recognised union that if any employment opportunities would occur in the company, there would go to the relation of the company's employees with long service. It was for quashing the aforesaid proceeding under section 144 of the Code that the above named Sri B. S. Rao, Divisional Manager (Collieries) and Sri A. K. Singh, Manager, Sijua Colliery, had filed the application dated 4-11-78 (Ext. W-2) under section 482 of the Code which was registered as Criminal Miscellaneous No. 1191 of 1978 (R) in the Ranchi Bench of the Patna High Court, Annexures 1 to 6 of which I have already discussed above.

36. It is also the admitted case of the parties that the employment of the workmen of the contractors in the work of loading of coal into wagons was stopped with effect from 19-10-1978 in pursuance of the management's notices in the form of letters dated 18-10-78 a specimen copy of which is Annexure 3 to Ext. W-2, issued to all the contractors of Sijua colliery employing contract labour in loading coal into wagons informing them that contract system for the aforesaid work had been abolished in the collieries of the company to comply with the provisions of the Contract Labour (Regulation and Abolition) Act, 1970, as continuance of the contract labour in the work of loading coal into wagons was violation of the said Act and terminating their contracts for wagon loading with effect from 19-10-78. It is also the evidence of Sri A. K. Singh (MW-7), who had joined the Sijua colliery as Manager on 15-6-77 and had continued as such upto November, 1981 and who is presently posted at Sijua colliery as Agent (operation) that from 19-10-78 the management completely abolished the system of loading of wagons through the workers of the contractors, and similar is the evidence of Sri Hareram Paswan (WW-1) and Md. Salim (WW-2), two of the concerned workmen, and of Sri Ratan Bhattacharjee (WW-3), the Branch Secretary of the Sijua Branch of the Bihar Colliery Kamgar Union, who have all deposed that from 19-10-78 the contractors' works were stopped from doing the work of wagon loading.

37. It is thus evident that inspite of the notification dated 1-2-1975 under section 10 of the Contract Labour (Regulation and Abolition) Act, 1970 prohibiting employment of contract labour in the work of coal loading and unloading, the employment of contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery had continued unabated as before unmindful of the prohibition and this state of affairs continued till 19-10-78 when the management stopped it when it was pressurised by the authorities under threat of prosecution under section 23 of the Act for contravening the order contained in the said notification prohibiting employment of contract labour in the work of coal loading and unloading.

38. I have already shown above that the only consequence of contravention of prohibition of employment of contract labour in any process, operation or

other work in an establishment in violation of a notification issued under section 10 of the Contract Labour (Regulation and Abolition) Act, 1970 prohibiting such employment is punishment under section 23 of the Act with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both, and in the case of continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for first such contravention, and the Act nowhere provides that contravention of the prohibition of employment of contract labour or the continuance of the employment of contract labour in any process, operation or other work in violation of the prohibition will automatically convert the workmen employed as contract labour by the contractor into regular employees of the principal employer. Therefore, in the instant case there was no question of the workmen of the contractors employed as contract labour in the work of loading coal into wagon at Sijua-Bhelatand Colliery becoming the employees of the company on the issue of the Government notification of dated 1-2-75 under section 10 of the Act prohibiting employment of contract labour in the work of coal loading and unloading, when, according to admitted case of the parties, even after the issue of the said notification dated 1-2-75 the previous arrangement of employment of contract labour in coal loading and unloading at Sijua-Bhelatand colliery had continued unabated as before, unmindful of the prohibition and this state of affairs had continued till it was stopped on 19-10-78 under threat of prosecution under section 23 of the Act violating the prohibition enjoined by the said notification. Therefore, the workmen employed as contract labour by the contractors at Sijua-Bhelatand colliery in the work of loading coal into wagons were the employees of the contractors both before and after the issue of the Govt. notification dated 1-2-1975 under section 10 of the Act prohibiting employment of contract labour in the work of coal loading and unloading till the work of loading coal into wagons by contract labour was stopped on 19-10-78.

39. It has, however, been contended by Sri D. Narsingh, Advocate, appearing for the Bihar Colliery Kamgar Union that since after the issue of the aforesaid notification dated 1-2-75 under section 10 of the Contract Labour (Regulation and Abolition) Act, 1970 prohibiting employment of contract labour in coal loading and unloading, employment of contract labour in coal loading had become illegal and a penal offence punishable with imprisonment and fine under section 23 of the Act, there was no "contractor" in the eye of law nor there was any "contract labour" in the eye of law after that date so far as the work of loading coal into wagons was concerned, and hence the workmen of contractors who were legally employed as contract labour in the work loading coal into wagons at Sijua-Bhelatand colliery, from 10-2-71, the date of coming into force of the Act, till 1-2-1975, the date of issue of that notification under section 10 of the Act, must be held in the eye of law to have ceased to be employed as contract labour

or to be the workmen of the contractors after 1-2-1975 and to have automatically become regular employees of the company and to have glided into the services of the company after 1-2-1975 by virtue of having continued to have worked as wagon loaders even after the issue of the said notification dated 1-2-1975 till they were stopped from work of loading coal into wagons with effect from 19-10-78, notwithstanding the fact that, as a matter of fact, admittedly the same arrangement which prevailed prior to 1-2-1975 in the matter of employment of contract labour by the contractor in the work of loading coal into wagons continued even during the aforesaid period between 1-2-1975 and 19-10-1978 in violation of the prohibition. The argument though ingenious is to be entertained only to be rejected. The definition of "contract labour" as given in section 2(1)(b) of the Act nowhere lays down that a workman shall be deemed to be employed as contract labour only when he is employed in connection with a work in which the employment of contract labour is not prohibited under section 10 of the Act nor the definition of "contractor" as given in section 2(1)(c) of the Act lays down that a contractor will come within the meaning of the said definition only when he employs contract labour in a work in which employment of contract labour is not so prohibited, and hence they would come within the purview of these definitions irrespective of the fact whether they are employed on a work in respect of which employment of contract labour has been prohibited or not prohibited. Therefore, the contractors who continued to employ their workmen as contract labour at Sijua-Bhelatand colliery in the work of loading coal into wagons as well as the workmen of the contractors who were so employed even after the issue of the notification dated 1-2-1975 prohibiting employment of contract labour in the work of coal loading and unloading continued to be "contractors" and "contract labour" respectively within the meaning of section 2(1)(c) and 2(1)(b) of the Act and their aforesaid respective character and relationship inter-se, namely, the workmen employed as contract labour being the employees of contractors continued till the employment of contract labour in the work of loading coal into wagon was stopped on 19-10-78. If that be not so, and if what Sri D. Narsingh, Advocate, has contended be the correct legal position, then, in that case, there could be no prosecution of either the principle employer under section 23 of the Act for continuing employment of contract labour in any work which has been prohibited by a notification issued under section 10 of the Act or of the contractors under section 24 of the Act for continuing employment of contract labour in the prohibited work without a valid licence for the purpose under section 13 of the Act, making the penal provisions contained in section 23 and 24 of the Act wholly nugatory as in every such case it could then be similarly contended that even after the issue of a notification under section 10 of the Act prohibiting employment of contract labour in any work, the old practice of employing contract labour in that work, which prevailed prior to the issue of such a notification, continued unabated, there could be no prosecution either of the principle employer under

section 23 or of the contractor under section 24 of the Act as inspite of the factual continuance of employment of contract labour in that work there was no continuance of such employment in the eye of law as the workmen employed as contract labour by the contractors ceased to be so employed having automatically become the employees of the principal employer and glided into the services of the principal employer. This is too fantastic to be accepted and must be rejected. The correct legal position in this regard, therefore, is that if even after the issue of a notification under section 10 of the Act prohibiting employment of contract labour in any process, operation or other work in any establishment, such employment continues, the contractors and the workmen employed as contract labour also continue to be contractors and contract labour in the eye of law as defined in section 2(e) and 2(b) of the Act and the workmen employed as contract labour continue to be the employees of the contractors though such employment being in contravention of the prohibition is unlawful and consequently punishable under section 23 and 24 of the Act.

40. Sri D. Narsingh, Advocate, has next contended that even if under the provision of the Contract Labour (Regulation and Abolition) Act, 1970 the workmen of the contractors who were employed as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery are not held to have automatically become the employees of the company and to have glided into the services of the company after the issue of the notification dated 1-2-1975 under section 10 of the Act prohibiting employment of contract labour in the work of coal loading and unloading, they should at least be held to have become the employees of the company and to have glided into the services of the company on the strength of the decisions of the Supreme Court in the cases of M/S. Basti Sugar Mill Ltd. Vs. Ram Ujager (1950-67) 6 SCLJ. 3867; Saraspur Mills Co. Ltd. Vs. Ramlal Chamanlal and others (1973) 10 SCLJ. 21; Royal Talkies, Hyderabad and others Vs. Employees State Insurance Corporation through its Regional Director (1978-79) 15 SCLJ. 101; and Hussainbhai Vs. The Alath Factory Thezhilali Union and others (1978-79) 15 SCLJ. 112. On the same point he has also cited a decision of the Patna High Court in the case of Chandrabali Vs. Chief Mining Engineer, M/S. Tata Iron & Steel Co. Ltd. (1975(II) F.L.R. 322) I would like to briefly refer to these decisions cited by Sri D. Narsingh.

41. In the case of M/S. Basti Sugar Mills Ltd. Vs. Ram Ujager (supra) 21 persons, who were respondents, were engaged from November 21, 1958 to February 5, 1959 in the work of removal of press-mud in the Sugar Factory belonging to the appellant. On February 6, 1959 their services were terminated. For the period of work of November 21, 1958 to February 5, 1959 they were also paid wages at rates lower than Rs. 55 per month which was the minimum prescribed wage for workmen of vacuum pan sugar factories of Uttar Pradesh under the Standing Orders dated October 3, 1958, issued by the Government

of Uttar Pradesh. On July 31, 1962 the Governor of Uttar Pradesh referred to the Labour Court, Lucknow, dispute between these respondents and the Basti Sugar Mills Ltd. The appellant contended that these 21 workmen were not employed by the management of the sugar mills. The appellant's case was that the work of removal of press-mud had been given by the company to a contractor, Banarsi Das, and that these 21 men were employed by that contractor to do the work. The management of the company, it was said, had nothing to do with these men. Banarsi Das left the work on February 6, 1959 and the termination of the service of these workmen was made by him. The respondents through their union contended on the contrary, that they had been employed directly by the management of the company. On a consideration of the evidence the Labour Court accepted the appellant's case that the work of removal of press-mud was being done through the contractor Banarsi Das and it was Banarsi Das under whom these 21 persons were employed. It further held that in view of the definition of 'employer' in sub-clause (iv) of section 2(i) of the Uttar Pradesh Industrial Disputes Act, 1947, the appellant was in law the employer of these 21 persons. It held accordingly that they were entitled to the benefit of the Standing Orders regarding minimum wages and were also entitled to reinstatement. Against that order of the Labour Court the appeal had been filed by the company in the Supreme Court with the special leave of the Supreme Court. It was held by the Supreme Court that the extended definition of the word 'employer' in sub-clause (iv) of section 2(i) of the Uttar Pradesh Industrial Disputes Act, 1947 is so worded that its effect is that where the owner of any industry in the course of or for the purpose of conducting the industry contracts with any person for the execution by or under such person of the whole or any part of any work which is ordinarily a part of the industry, the owner of such industry is an employer within the meaning of that Act, and that the obvious purpose of this extended definition of the word "employer" is to make the owner of the industry in the circumstances mentioned in the sub-clause, the employer of these workmen engaged in the work which is done through contract.

42. In the case of Saraspur Mills Co. Ltd. Vs. Ramanlal Chamanlal and others (supra), Ramanlal Chamanlal and others were the workers of a canteen which was run by the Saraspur Mills Canteen Co-operative Society Limited, Ahmedabad (hereinafter called the co-operative society). The appellant company was responsible for maintaining the canteen under the provisions of section 46 of the Factories Act and the Rules made thereunder. The appellant handed over to the co-operative society the task of running the canteen. The workers mentioned above filed an application before the 2nd Labour Court at Ahmedabad under section 79 of the Bombay Industrial Relations Act, 1946, complaining that the appellant was not paying them the wages and dearness allowances as per the directions contained in the Award of the Bombay Industrial Court made

in Reference No. 18 of 1947 and supplementary award given in certain miscellaneous applications of 1956 and 1962 respectively relating to additional wages sanctioned by the said Award. It was alleged by the applicants in support of their claim that by virtue of certain amendment, made in the Act in the definition of the word 'employer' they became workers of the appellant, which was bound to pay wages and dearness allowances, settled by the aforesaid award and the supplementary awards referred to. The case of the workmen was that the appellant was running the canteen only because it was under an obligation to do so under the Factories Act and the rules made thereunder. Thus the running of the canteen was an ordinary part of the undertaking of the appellant. It was admitted that the appellant did not run the canteen itself but handed over the premises to the co-operative society to run the canteen for the use and welfare of the mill's employees and discharge its legal obligations. The appellant denied the allegation of the workmen that they were its employees. It was claimed that the aforesaid workers had never been employed either by the appellant or by its agent or contractor. The workers in fact were stated to have been employed by the licensee of the appellant and, therefore, there was no question of the wage settlements or Awards being binding on the appellant. In that case the only question which required determination by the Supreme Court was whether the canteen workers employed by the co-operative society could be treated as employees of the appellant within the meaning of the relevant provisions of the Bombay Industrial Relations Act, 1946 for the purpose of payment of their wages, in spite of the fact that they were employees of the co-operative society and were being paid wages by that society. Prior to the Bombay Industrial Relations Act, 1946, Bonibay Industrial Disputes Act, 1938 was in force in the erstwhile province of Bombay. Under Bombay Industrial Disputes Act, 1938 no statutory employees were created but only those persons who were directly employed by the employer were treated as employees. The Bombay Industrial Relations Act, 1946 repealed the Bombay Industrial Disputes Act, 1938. Section 3(13) of the Bombay Industrial Relations Act, 1946 contained the definition of the term 'employee' and sub-clause (e) of clause (14) contained the definition of the term 'employer'. But subsequently the Gujarat Legislature passed an Act in 1962 amending clauses (13) and (14) of Section 3 of the Bombay Industrial Relations Act, 1946 and after the said amendment extended meanings of 'employee' and 'employer' were given and, as it was mentioned in the statement of objects and reasons appearing in the Bill to the Amending Act, the definition of 'employees' was amended so as to cover persons employed by contractor or any other person to whom the owner of the undertaking had entrusted execution of any work which was ordinarily part of the undertaking, and the definition of 'employer' was also amended accordingly. In these circumstances it was held by the Supreme Court that under the Factories Act it was the duty of the appellant to run and maintain the canteen for the use of the employees, and hence

under the amended definition, of 'employer' and 'employee' in the Bombay Industrial Relations Act, 1946 which gave an extended meaning, the employees of the co-operative society became the employees of the appellant.

43. In the case of Royal Talkies, Hyderabad and others Vs. Employees State Insurance Corporation through its Regional Director (supra), the definition amplitude of 'employee' in section 2(9) of the Employees' State Insurance Act, 1948 was the sole contentions issue canvassed by counsels at the bar. In that case the appellants were the owner of theaters where films were exhibited. Within the same premises as the theaters, in every case, there was a canteen and a cycle stand. The canteen and the cycle stand were leased out to contractors under instruments of lease. The contractors employed their own servants to run the canteen and the cycle stand. In regard to persons so employed by the contractors, the owners of the theatres were treated as 'principal employers' and notices of demand were issued to them calling upon them to pay contribution under 'Employees' State Insurance Act. Thereupon the owners of the theaters filed application under section 75 of the Employees' State Insurance Act before the Employees Insurance Court for a declaration that the provisions of the Act were not applicable to their theaters and they were not liable to any contribution in respect of the persons employed in the canteens and cycle stand attached to the theaters. The Supreme Court while interpreting the definition of 'employee' under section 2(9) of the Employees State Insurance Act, 1948 held that the breadth and range of the definition is apparently wide and deliberately transcends pure contractual relationships and the definition has been cast deliberately in the widest term and the draftsman has endeavoured to cover every possibility as not to exclude even distant categories of men employed either in the primary work or cognate activities, and affirmed the findings of the Insurance Court which had found that the owners of theater, were employers with reference to the persons employed by contractors in the canteen and cycle-stand attached to the theatres.

44. In the case of Chandrabali Vs. Chief Mining Engineer, M/S. Tata Iron and Steel Co. Ltd., Jamadoba (supra) the petitioner Chandrabali was employed as a Machine-cut coal loader in Jamadoba colliery belonging to M/S. Tata Iron & Steel Co. Ltd. The petitioner was recruited through the agency of the Coalfield Recruiting Organisation for employment under the management of the Jamadoba colliery as a Machine-cut coal loader. The petitioner had gone on leave on May 10, 1958 for a period of 14 days and the grant of his leave was made, by the Unit Supervisor of the Coalfield Recruiting Organisation (hereinafter referred to as C.R.O.). While at home the petitioner applied for an extension of leave with medical certificate dated June 1, 1958 for a further period of three weeks. His application was received by the Unit Supervisor on 7.6.1958. The petitioner applied for a further extension of leave for two weeks

with another medical certificate. Subsequently the petitioner returned for work on July 7, 1958, but he was not permitted to join. The matter of the petitioner's discharge was taken up by the Colliery Mazdoor Sangh, which wrote to the Colliery Manager stating that the petitioner had been unfairly treated in violation of the Standing Order of the Company. The matter was not amicably settled and, on the report of the Conciliation Officer, the Government of India referred the industrial dispute to the Central Govt-Industrial Tribunal, Dhanbad, under section 10 of the Industrial Disputes Act, 1947. The issues which were contained in the order of reference were (1) whether the discharge of Shri Chandrabali was justified, and (2) if not, what relief he is entitled to and with effect from which date. On May 12, 1960, the Central Government Industrial Tribunal made an award stating that the discharge of Chandrabali was justified. The petitioner thereupon obtained a rule from the High Court, Patna, calling upon the respondents to show cause why the award of the Central Government Industrial Tribunal should not be set aside by the High Court by virtue of the authority granted to it under Art. 227 of the Constitution. On behalf of the petitioner it was submitted in the first place that the Tribunal was erroneous as a matter of law in holding that the petitioner was not a 'workmen' within the meaning of the Industrial Disputes Act and there was no nexus of relationship of master and servant, between the petitioner and the management of the Jamadoba colliery. On behalf of the respondent Company it was, however, submitted that the petitioner was recruited by the C.R.O. which is under the Government of India. The function of the C.R.O. was to enlist the workmen when they report for recruitment, lock to their welfare and open Safe Deposit Accounts for each individual workman at the Record Office. The practice was that the collieries which are members of the C.R.O. placed indents for a definite number of workmen with the C.R.O. and on receipt of the indents from different collieries the specified number of workmen were recruited from the depot at Gorakhpur. It also appeared that a bill was submitted by the C.R.O. to the Colliery concerned for the amount of work performed by the workmen and the payment was made to the individual workman in the camp by the C.R.O. Group Officer. It had also been found that the workmen applied to the C.R.O. for leave and the application for leave was dealt with finally by the C.R.O. The contention of the C.R.O. before the Tribunal was that it was the employer of Chandrabali who was recruited by it for working at the Jamadoba colliery. That was also the stand taken by the Manager of the Jamadoba colliery before the Industrial Tribunal. The argument addressed on behalf of the respondent company was that the Industrial Tribunal was right in reaching the inference that the petitioner was in the employment of the C.R.O. and not of Tata Iron and Steel Co. Ltd. In these circumstances it was observed by the High Court that it was manifest from the facts found and admitted in the case that the petitioner Chandrabali was under the dual control of the C.R.O. and Tata Iron and Steel Co. Ltd. in the matter of his employment and the High Court held that there was an implied contract

of service between the petitioner Chandrabali and the management of Jamadoba colliery and the petitioner was a workman within the meaning of the Industrial Disputes Act and finding of the Central Govt. Industrial Tribunal on this point was erroneous as a matter of law, and, therefore, it followed that the Standing Orders of M/S. Tata Iron and Steel Co. Ltd. were applicable to the case of the petitioner and under para 20 of the Standing Orders the petitioner could not be removed from his job unless he was informed in writing of the alleged misconduct and was given an opportunity against the circumstance alleged against him.

45. In the case of Hussainbhai Vs. The Alath Factory Thezhilali Union and others (supra) the petitioner before the Supreme Court in the special leave petition was a factory owner manufacturing ropes. A number of workmen were engaged to make ropes from within the factory, but these workmen, according to the petitioner, were hired by contractors who had executed two agreements with the petitioner to get such work done. Therefore, the petitioner contended that the workmen were not his workmen but the contractors' workmen. The Industrial Award, made on a reference by the State Government, was attacked on this ground. The learned Single Judge of the High Court of Kerala, in an elaborate judgment, held that the petitioner was the employer and the members of the respondent-union were the employees under the petitioner. A division Bench upheld the stand and the petitioner had sought special leave from the Supreme Court. It was not in dispute that 29 workmen were denied employment which led to the reference. It was also not in dispute that the work done by these workmen was an integral part of the industry concerned; that the raw material was supplied by the Management, that the factory premises belonged to the management, that the equipment used also belonged to the management and that finished product was taken by the management for its own trade. The workmen were broadly under the control of the management and defective articles were directed to be rectified by the management. In these circumstances, while confirming the decision of the courts below and refusing leave, the Supreme Court, while answering the question as to who is an employee in labour law, indicated, with brevity, the following true test :—

"Where a worker or group of workers labours to produce goods or services and these goods or services are for the business of another, that other is in fact the employer. He has economic control over the workers' subsistence, skill and continued employment. If he for any reason, chokes off, the worker is, virtually laid off. The presence of intermediate contractors with whom alone the workers have immediate or direct relationship ex-Contractus is of no consequence when, on lifting the veil or looking at the conspectus of factors governing employment, we discern the naked truth though draped in different, perfect paper arrangement, that the real employer is the Management, not the immediate contractor. Myriad devices, half-

hidden in fold after fold of legal form depending on the degree of concealment needed, the type of industry, the local conditions and the like may be resorted to when the labour legislation casts welfare obligations on the real employer, based on Articles 38, 39, 42, 43 and 43 A of the Constitution. The Court must be astute to avoid the mischief and achieve the purpose of the law and not be misled by the maya of legal appearances.

If the livelihood of the workman substantially depends on labour rendered to produce goods and services for the benefit and satisfaction of an enterprise, the absence of direct relationship or the presence of dubious intermediaries or the make-believe trappings of detachment from the Management cannot snap the real life bond. The story may vary but the inference defies ingenuity. The liability cannot be shaken off.

Of course, if there is total dissociation in fact between the disowning management and the aggrieved workmen, the employment is, in substance and in real-life terms, by another. The Management's adventitious connections cannot ripen into real employment."

46. It would thus be noticed that the case of Basti Sugar Mills Ltd. Vs. Ram Ujagar (supra) was decided with reference to the extended definition of the word 'employer' in sub-clause (iv) of section 2(i) of the Uttar Pradesh Industrial Disputes Act, 1947, which is so worded as to make the owner of an industry in the circumstance mentioned in the sub-clause, the 'employer' of the workmen engaged in the work which is done through contract; the case of Saraspur Mills Co. Ltd. Vs. Rajulal Chaitanlal and others (supra) was decided on the basis of the amended definition of 'employer' and 'employee' in the Bombay Industrial Relations Act, 1946 which gave an extended meaning to those expressions so as to cover persons employed by contractors or any other persons to whom the owner of the undertaking had entrusted execution of any work which was ordinarily part of the undertaking; and the case of Royal Talkies, Hyderabad and others Vs. Employee State Insurance Corporation through its Regional Director (supra) was decided with reference to the definition of "employee" given in section 2(9) of the Employees' State Insurance Act, 1948 in respect of which it was held that the reach and range of the definition is apparently wide and deliberately transends pure contractual relationship and the definition has been cast deliberately in the widest term and the draftsman had endeavoured to cover every possibility as not to exclude even distant categories of men employed either in the primary work or cognate activities. None of these decisions was under the Contract Labour (Regulation and Abolition) Act, 1970 with which we are concerned in the instant case while deciding the point in issue, and hence those decisions have got no application to the present case. If anything is deducible

from those decisions it is only this that every case has got to be decided with reference to the statute applicable to that case. It has been held in a Division Bench decision of the Andhra Pradesh High Court in the case of Management of Burmah Shell Oil Storage and Distributive Co. of India Ltd., Madras Vs. The Industrial Tribunal, Andhra Pradesh and others (1975 Lab.I.C.165) that the Industrial Disputes Act, 1947 is a general enactment which applies to all industry and all workmen coming within its fold and every industrial dispute within the meaning of the Act, but out of the generality of these cases following under the Industrial Disputes Act, 1947, the Contract Labour (Regulation and Abolition) Act, 1970 takes out one case of contract labour and legislates exclusively thereon and the Act therefore is a special enactment applicable only to the subject of contract labour, and every dispute therefore relating to contract labour must have to be tackled only under the provisions of that Act and not under the general law. The present case, which is a case of contract labour, must therefore, be decided with reference to the Contract Labour (Regulation and Abolition) Act, 1970 and the Rules framed thereunder with reference to which it has already been shown above that the workmen employed as contract labour by the contractors at Sijua-Bhelatand colliery in the work of loading coal into wagons were the employees of the contractors both before and after the issue of the Government notification dated 1-2-1975 under section 10 of the Act prohibiting employment of contract labour in the work of coal loading and unloading till the work of loading coal into wagons by contract labour was stopped on 19-10-1978.

47. The case of Chandrabali Vs. Chief Mining Engineer, M/s. Tata Iron & Steel Co. Ltd. (supra) was a case of private arrangement resorted to under which the collieries, which were members of the Coalfield Recruiting Organisation, used to place indents for a definite number of workmen with the Coalfield Recruiting Organisation and on receipt of the indents from different collieries specific number of workmen were recruited from the depot at Gorakpur; and it was not a case of any statutory "employee" or statutory "employer". So was the case of Hussainbhai Vs. The Alath Factory Tezhilali Union and others (supra) which was also a case of private arrangement resorted to between the owner of a factory manufacturing ropes and some contractors who had executed two agreements with the owner of the factory to get such work done, and it was also not a case of statutory "employee" and statutory "employer". That the true test, indicated with brevity, by the Supreme Court in the passages quoted above, in the case of Hussainbhai Vs. The Alath Factory Tezhilali Union and others (supra) applies to contractual relations only and not to statutory relations would be apparent from the quotation itself in which words and expressions like "relationship ex-contractur", lifting the veil, drafted in different perfect paper arrangement", "myriad devices, half-hidden in fold after fold of legal form depending on the degree or concealment needed", "the Court must be astute to avoid the mischief and achieve the purpose of the law and not be misled by the maya of legal appearances", and "the presence

of dubious intermediaries or the make-believe trappings of detachment from the Management" have been used which must necessarily refer to private contractual devices which are at times resorted to by some unscrupulous employers by entering into dubious agreements with some contractors with a view to deprive the workmen of their legitimate dues and they cannot possibly refer to statutory relations which have got the mandate of the legislature. The aforesaid observation of the Supreme Court, on which Sri D. Narsingh appearing for the workmen heavily relied during the course of his arguments, are, therefore, also not at all attracted in the instant case in which the statutory relationship between the workmen employed as contract labour, the contractors and the company has got to be decided with reference to the Contract Labour (Regulation and Abolition) Act, 1970 alone the provisions whereof under section 30 of the Act have effect notwithstanding anything inconsistent therewith contained in any other law including the Industrial Disputes Act, 1947 or in the terms of any agreement of contract of service or in any Standing Orders applicable to the establishment whether made before or after commencement of the Act.

48. Lastly, Sri D. Narsingh appearing for the Bihar Colliery Kamgar Union has contended that the workmen employed by the contractors as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery of the company must atleast be held to be the employees of the company under the Standing Orders (Ext. W-1) of the company. In support of his contention he has placed reliance on the following definition of "employee" given in clause (1) (a) of the Standing Orders of the company (Ext. W-1) :

"Employee" means all work-people male or female employed above ground or underground either directly by the company or under a contractor or contractors except those who come within the category of officers of the company or those whose basic pay exceeds Rs. 300/- per month."

He has contended that even if the workmen employed by the contractors as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery are held to be the employees of the contractors still those workmen would come within the definition of "employee" given in the Standing Orders of the company (Ext.W-1), as, under the said definition, even workmen employed under a contractor or contractors are employees of the company. In this connection he has also placed reliance on two Supreme Court decisions in the case of Western India Match Co. Ltd., Vs. Workmen 10 SCLJ. 304 and Sudhir Chandra Sarkar Vs. M/s. Tata Iron and Steel Co. Ltd. and others (1984 Lab. I.C.790) for his contention that Standing Orders have got the status of a statute and contravention of Standing Orders would be ineffective.

This very Standing Orders of the company (Ext. W-1) was the subject matter of interpretation in the case of Ram Chandra and 3 others Vs. M/s. Tata

Iron and Steel Co. Ltd. and another by the Labour Appellate Tribunal in Appeal No. Cal. 45 of 1954 reported in 1955 Labour Appeal Cases 580 where it was held that the aforesaid definition of "employee" given in the Standing Orders of the company (Ext. W-1) was meant for the purpose of the Standing Orders and not for all purposes, as the company's object in framing this rule was to have control over all the employees working in the colliery, whether employed by itself or by its contractor, and hence workmen of the contractors of the company cannot on the basis of the definition of "employee" given in clause 1(a) of the company's Standing Order, (Ext.W-1) be held to be employees of the company.

Moreover the aforesaid arguments advanced by Sri D. Narsingh fails to take note of the fact that in the aforesaid Standing Orders of the Company (Ext. W-1) the expression "contractor" has also been defined as follows :—

"Contractor means contractor appointed by the company but does not include commission contractor."

Therefore, the word "contractor" used in clause 1(a) of the Standing Orders (Ext.W-1) while defining "employee" does not include commission contractor, and the uncontroverted evidence of Sri A. K. Singh (MW-7), Agent (operation), Sijua Colliery; Sri K. B. Trehan (MW-10), Agent, Jamadoba Colliery and Sri Guptar Gope (MW-15), one of the contractors working in Sijua-Bhelatand colliery since long in connection with the work of loading coal into wagons is that the contractors working in connection with loading of coal into wagons were commission contractors. Therefore, the workmen employed by such commission contractors in the work of loading coal into wagons at Sijua-Bhelatand colliery cannot also come within the definition of "employees" as given in clause 1 (a) of the Standing Orders of the company (Ext.W-1).

Lastly, as already mentioned above, under section 30 of the Contract Labour (Regulation and Abolition) Act, 1970 the provisions of the Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or in terms of agreement or contract of service of in any Standing Orders applicable to the establishment whether made before or after the commencement of the Act. Therefore, the provisions of the Contact Labour (Regulation and Abolition) Act, 1970 also override the Standing Orders of the company (Ext.W-1) if any clause thereof is inconsistent with the provision of the Act.

49. Therefore the matter has got to be decided with reference to the Contract Labour (Regulation and Abolition) Act, 1970 and the Rules framed thereunder with reference to which it has already been held above that the workmen employed as contract labour by the contractors at Sijua-Bhelatand colliery in the work loading coal into wagons were the employees of the contractors, both before and after the issue of the Government notification dated 1.2.1975 under section 10 of the Act prohibiting employment of contract labour in the work of coal loading and unloading till the work of loading coal into wagons by contract labour was stopped on 19.10.78, and neither under

the provisions of the Contract Labour (Regulation and Abolition) Act, 1970, nor on the strength of decision cited by Sri D. Narsingh, appearing for the Bihar Colliery Kamgar Union, which have already been discussed above, nor on the basis of the Standing Orders of the Company (Ext.W-1) can the workmen of contractors employed as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery can claim themselves or hold to be the employees of the company either before or after the issue of the aforesaid notification dated 1.2.1975. From this finding it follows that there was never any employer-employee relationship between the company and the workmen employed by the contractors as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery. This finding also disposes of the second point raised by Sri S. B. Sanyal regarding non-existence of employer-employee relationship between the company and the concerned workmen and consequently absence of any "industrial dispute" as contemplated under the Industrial Disputes Act, 1947 which had been left over by my learned predecessor in his order dated 12-11-1981 to be decided while deciding the entire case on merit after recording evidence led by the parties and about which I had earlier referred in paras 21 and 22 of this award. This finding is also enough to dispose of the entire reference because when there was never any employer-employee relationship between the company and the workmen employed by the contractors as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery there could obviously be no industrial dispute with the company in connection with the employment of non-employment or the terms of employment or the condition of labour of such workmen of the contractors within the meaning of section 2(K) of the Industrial Disputes Act, 1947 which could be referred for adjudication by the Central Government under section 10 of the Act. But since the parties have led full evidence on all the three items of dispute mentioned in the schedule to the order of reference, I propose discuss the same itemwise.

Item No. 1 of the dispute.

50. Item No. 1 of the dispute mentioned in the schedule to the order of reference relates to the justification or otherwise of the action of the management in introducing mechanical pay loaders for loading of coal into wagons without issue of notice under section 9A of the Industrial Disputes Act, 1947 and stopping the workmen from employment with effect from 19-10-78. In this connection it is the case of the Bihar Colliery Kamgar Union in its written statement that the management stopped the workmen from doing the work of loading and unloading coal with effect from 19-10-1978 and without notice as required in section 9A of the Industrial Disputes Act, 1947 introduced the mechanical system of pay loaders for loading coal into wagons in place of hitherto prevalent manual operation, in violation of section 9A read with items 10 and 11 of the Fourth Schedule of the Act causing their illegal retrenchment. Admittedly, no notice under section 9A of the Industrial Disputes Act, 1947 was given by the company to the workmen employed as contract

labour in the work of loading coal into wagons at Sijua-Bhelatand colliery. The case of the company however, is that it introduced pay-loaders for loading coal into railway wagons and for other ancillary jobs as far back as in the year 1965-66 when 3 Hough pay loaders were introduced and out of them one got burnt in the year 1972 and 2 were in limping operation which required repairs, and orders had been placed for further expansion and substitution of pay loaders as the said pay loaders were not allowed to be imported from outside the country and indegenously made new pay loads supplied progressively in August, 1975 and in April, 1978 were put into operation consequent upon the mechanisation already resorted in the year 1965-66 and the mechanised screening plant loading had been in operation from long before 1965-66.

51. In this connection Ext. M-6 is a relevant entry no. 4 dated 26-6-1964 at page 92 in the purchase register of the company relating to the purchase of three International Hough pay loaders by the company. Ext. M-1 is letter dated 5-12-72 from the Group Engineer, Sijua Group to the Chief Engineer (Collieries), Jamadoba reporting about the burning of a pay loader in the night of 29-11-72 near Bhelatand Water Treatment Plant. Ext. M-4 is a scheme dated 21-1-1976 for administrative aproval for 1975-76 under the signature of the Divisional Manager (Collieries) of the company in which it was stated that the existing pay-loaders was purchased in 1966 and had been continuously used for coal loading and coal stacking and this imported unit (Hough 70-F) was being kept on road with lot of difficulty due to want of spares and it was almost beyond economical repairs and required replacement. Ext. M-5 is company's collieries capital budget dated 21-11-1976 for 1975-76 in which there is mention about replacement of one pay loader and accessories at a cost of Rs. 7.75 lakhs. Ext. M-2 is a purchase order dated 7-1-75 of the company placing orders with M/s. Hindustan Motor Ltd. for the supply of one Terex pay loader. Ext. M-3 is another purchase order dated 2-9-77 of the company placing orders with M/s. Hindustan Motor Ltd. for supply of two more Terex pay loaders. Ext. M-7 and M-8 are two ledger cards for spare parts of Hough pay loaders maintained in the stores of the company.

52. It is also the evidence of Sri Charan Singh (MW-1), pay loaders operator of the company since 1967; Sri Felix Aroza (MW-2) who has been repairing pay loaders of the company in its Central Garage at Jamadoba since 1966 and who was transferred in 1970 to Sijua-Bhelatand colliery as fitter to look after and repair pay-loaders; Sri B. I. Das (MW-3) who had joined the service of the company in 1965 as a pay-loader fitter and who is now working in the company's Central Garage at Jamadoba as a Foreman; Sri Ashok Upal (MW-4) who was transferred to Sijua-Bhelatand colliery as Asstt. Engineer in 1970. Sri A. K. Singh (MW-7) who is in the service of the company at Sijua Colliery since 1965 and who joined as Manager of Sijua Colliery on 15-6-77 and who is presently posted as Agent (operation) Sijua Colliery; and Sri K. B. Trehan (MW-10) who was in 1977-78 Agent, Sijua Group of Collieries, that pay loaders were there in operation in Sijua-

Bhelatand colliery since before they joined Sijua-Bhelatand colliery. Gupter Gope (MW-15) who is working as a contractor in Sijua-Bhelatand colliery of the company since last 20 to 22 years has also deposed that pay-loaders were installed in the colliery sometimes in the years 1964 or 1965 after he had joined there as contractor. Sri A. K. Singh (MW-7) has also deposed that in 1975 one more Indian made pay loader was procured and in 1977 and 1978 also two more pay-loaders were procured.

53. As against the aforesaid mass of documentary and oral evidence adduced on behalf of the management there is the solitary and uncorroborated oral testimony of Sri Ratan Bhattacherjee (WW-3) Branch Secretary of the Bihar Colliery Kamgar Union of Sijua-Bhelatand Branch, who has deposed in his examination-chief that before 19-10-78 there was only one pay-loader in Sijua-Bhelatand colliery but in his cross-examination has at first stated that on 18-10-78 he had seen one more new pay loader in addition to the old pay-loader which was already there prior to 18-10-78 and that said new pay loader was used 19-10-78 both at Bhelatand and Sijua and has subsequently stated that on 18-10-78 itself he had seen 4 or 5 new payloaders which were all used after 19-10-78 and has thus not only made prevaricating statements in his examination-in-chief and his cross-examination but has also belied himself and his cross-examination but has also belied himself in face of the mass of the aforesaid oral and documentary evidence adduced on behalf of the management which establish that pay-loaders were there in operation in Sijua-Bhelatand Colliery since 1965-66.

54. From the evidence as discussed above it would thus appear that the introduction of pay-loaders at Sijua-Bhelatand colliery of the company was an old affair which started about 20 years back sometimes in the year 1965-66 with subsequent purchases of new pay-loaders as and when the old ones went out of order and they were not introduced for the first time when employment of contract labour in the work of loading coal into wagon was stopped at Sijua-Bhelatand colliery on and after 19-10-1978 as alleged by the Bihar Colliery Kamgar Union.

55. Sri D. Narsingh appearing for the Bihar Colliery Kamgar Union has referred to three decisions in the cases of M/s. North Brook Jute Co. Ltd. Vs. Their Workmen (6 SCLJ, 4253); M/s. Tata Iron & Steel Co. Ltd. Vs. The Workmen (9SCLJ, 124); and Navbharat Hindi Daily, Nagpur Vs. Navbharat Shramik Sangh and another (1984 Lab. I.C. 445). In the case of M/s. North Brook Jute Co. Ltd. Vs. Their Workmen (supra) it has been held that the conditions of service do not stand changed, either when the proposal by the employer to effect a change in the condition of service is made or the notice under section 9A of the Industrial Disputes Act, 1947 is given, but only when change is actually affected by actually introducing the change in the condition of service. In the case of M/s. Tata Iron & Steel Co. Ltd. Vs. Their Workmen (supra) it has been held that the appellant company having effected change in the weekly days of rest of workmen without complying with the provisions of sec. 9A of the Act read with the Fourth Schedule regarding giving of notice to the workmen about the proposed change, this change must be held to be ineffective and the

previous schedule of weekly days of rest must be held to be still operative. In the case of Navbharat Hindi Daily, Nagpur Vs. Navbharat Shramik Sangh and others (supra) it has been held that the provisions of section 9A of the Act are mandatory and the installation of an additional man composing machine in the Navbharat Press of the petitioner, being a rationalised machinery likely to lead to retrenchment of workmen, item No. 10 of the Fourth Schedule of the Act was directly attracted, and hence it was imperative on the part of the petitioner to serve a notice of change on the workmen under section 9A of the Act, and omission to do so would necessarily vitiate the retrenchment resulting from the operation of such a machine.

56. In all the aforesaid three decisions cited by Sri D. Narsingh, however, the employer-employee relationship between the management and the workmen was an admitted position whereas in the instant case it has not only been disputed by the management of the company but it has also already been held above that there was no employer-employee relationship between the management of the company and the workmen of the contractors employed as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery and that those workmen were the employees of the contractors; and hence the question of application of section 9A of the Industrial Disputes Act, 1947 does not arise at all in the present case and the aforesaid three decisions cited by Sri D. Narsingh have got no application to the present case.

57. Since there was no employer-employee relationship between the company and workmen of the contractors employed as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery and since those workmen of the contractors were the employees of the contractors, there was no question of issuing notice by the management of the company to the workmen of the contractors under section 9A of the Industrial Disputes Act, 1947 before introduction of mechanical pay-loaders for loading of coal into wagons, which, as already shown above, had started some 20 years back sometime in the year 1965-66 with subsequent purchases of new pay-loaders as and when the old ones went out of order and they were not entirely new innovation brought in use for the first time when employment of contract labour in the work of loading coal into wagons was stopped at Sijua-Bhelatand colliery on and after 19-10-78. As also already shown above, the stoppage of the workmen of the contractors from doing the work of loading coal into wagons with effect from 19-10-78 was also not primarily due to the introduction of mechanical pay-loaders by the company for loading coal into wagons, as some pay-loaders were already there in Sijua-Bhelatand colliery since 1965-66 and the pay-loaders as well as the contractors' workers had worked all along side by side supplementing each other in the work of loading coal into wagons, but it was primarily due to the rigid enforcement in the year 1978 by the Government authority concerned of the Government notification dated 1-2-1975 under section 10 of the Act prohibiting employment of contract labour in the work of coal loading and unloading by the issue of the letter dated 22/23-9-78 (Annexure 2 to Ext. W-2) by the Regional Labour

Commissioner (C) threatening the company and its Divisional Manager (Collieries) and Manager, Sijua Colliery for their prosecution under sections 23 and 24 of the Act for violating the said notification dated 1-2-1975 so far.

58. Therefore, so far as this item No. 1 of the dispute mentioned in the schedule to the order of reference is concerned, it is held that the action of the management of the company in introducing mechanical pay-loaders for loading of coal into wagons which had started as far back as 1965-66 with subsequent purchases of new pay-loaders as and when the old ones went out of order was perfectly justified, and the management was not bound to issue any notice under section 9A of the Industrial Disputes Act, 1947 to the workmen of the contractors employed as contract labour in the work of loading coal into wagons as those workmen were not the employees of the company but were the employees of the contractors, and the action of the management in stopping the contract labour employed in the work of loading coal into wagons at Sijua-Bhelatand colliery from such employment with effect from 19-10-78 was perfectly justified as this was what was required by the Regional Labour Commissioner (C), Dhanbad in his letter dated 22/23-9-78 (Annexure 2 to Ext. W-2) under threat of prosecution of the company and its Divisional Manager (Collieries) and Manager, Sijua Colliery under sections 23 and 24 of the Act and this was what the management of the company was bound to do in view of the said notification dated 1-2-75 under section 10 of the Act prohibiting employment of contract labour in the work of coal loading and unloading in all coal mines which the management of the company had so long ignored and violated with all the risks involved for prosecution under section 23 of the Act. This item of the dispute is, therefore, answered in the affirmative in favour of the management of the company and the contractor's workmen are held not entitled to any relief under this item of the dispute.

Item No. 2 of the dispute :

59. This item No. 2 of the dispute mentioned in the schedule to the order of reference relates to the justification or otherwise of the action of the management in terminating the employment of the workmen employer in loading and unloading of coal on prohibition of the employment of contract labour in loading and unloading of coal. For the reasons already given above, the management of the company was not only justified but also bound under the law to stop the employment of the workmen of contractors employed as contract labour in the work of loading coal into wagon at Sijua-Bhelatand colliery of that at all be construed to mean termination of their employed as contract labour in the work of loading 1-2-1975 under section 10 of the Contract Labour (Regulation and Abolition) Act, 1970 prohibiting employment of contract labour in the work of coal loading and unloading, violation whereof is a penal offence punishable under section 23 of the Act, and it was sheer hardihood on the part of the company to have continued even after the issue of the said notification dated 1-2-1975 with the employment of

contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery in concert and collaboration with the contractors and contractors' workmen, who too connived in their own respective interests, taking upon itself the risk of prosecution under section 23 of the Act which was, perhaps, possible due to inaction on the part of the Government authorities entrusted with the work of administration of the Act and the enforcement of the notification dated 1-2-1975 who were not vigilant enough and who appear to have woke up about three years after the issue of the notification dated 1-2-75 and to have issued the letter dated 22/23-9-1978 (Annexure 2 Ext. W-2) asking the company to stop wagon loading through contract labour with immediate effect or else face prosecution under sections 23 and 24 of the Act on which the management of the company realising the gravity of the situation, finally stopped the employment of contract labour in the work of loading coal into wagons with effect from 19-10-78. In the circumstances, the decisions cited by Sri D. Narsingh, appearing for the Bihar colliery Kamgar Union in the cases of Management of Murugan Mills Ltd. Vs. Industrial Tribunal, Madras (1950-67) 6 SCLJ, 3817; Western India Match Company Ltd., Vs. Workmen (10 SCLJ, 304) and Jai Bhagwan vs. The State of Haryana 1983 (47 F.L.R. 532) in which it has been held that requirement of bona fide on the part of the employer is essential in terminating the services of his employee and the Labour Court or Tribunal may interfere with the order of discharge or termination of service of an employee where it is satisfied that it was made malafide or was a measure of victimisation or unfair labour practice or was arbitrary or capricious or was made in total breach of the principles of natural justice, have also got no application to the present case as in the present case whatever was done by the management of the company it was done in obedience of law though belated, and under threat of its own prosecution and prosecution of its officers if it continued to violate the law. This item of the dispute is, therefore, also answered in the affirmative in favour of the management of the company and the contractors' workmen who were employed as contract labour in the work of leading and unloading of coal are held not entitled to any relief under this item of the dispute also.

Item No. 3 of the dispute:

60. Item No. 3 of the dispute mentioned in the schedule to the order of reference relates to the justification or otherwise of the demand of the workmen of Sijua-Bhelatand colliery of the company for provision of employment to the workmen mentioned in Annexure 'A' of the schedule to the order of reference. It is only under this 3rd item of the dispute that Annexure 'A' has been mentioned, there being no reference of Annexure 'A' either in Item No. 1 or Item No. 2 of the dispute. This Annexure 'A' of the schedule to the order of reference mentions the names of 408 workmen which tally with the names of 408 wagon loaders given in a list forming enclosure to the letter dated 13-11-78 (Ext. M-103) written by Sri S.K. Bakshi, General Secretary, Bihar Colliery Kamgar Union to the Asstt. Labour Commissioner (C), Dhanbad raising the present dispute; and the

names of 408 workmen mentioned in Annexure 'A' to the order of reference appear to have been copied from the said list. In the said list there has been a mistake in giving serial numbers serial No. 295 after serial No. 293 inasmuch as after serial no. 293 has been mentioned instead of serial No. 294 and this has resulted in the last serial number being 409 instead of 408 though there are actually only 408 names, in the said list. But in the said list which forms enclosure to the letter dated 13-11-78 (Ext. M-103) neither the parentage nor the address of any of the 408 workmen is mentioned and consequently neither the parentage nor address of any of those 408 workmen is mentioned in Annexure 'A' of the schedule to the order of reference. The management of the company has been from the very beginning contending that since the 408 workmen named in Annexure 'A' of the schedule to the order of reference are not their own employees, the management does not know many of them and many of them had not worked even as contract labour at Sijua-Bhelatand colliery in the work of loading coal into wagons. Hence at the very initial stage of the reference even before filing its written statement, the management had filed a petition dated 19-2-79 praying that the sponsoring union, namely, the Bihar Colliery Kamgar Union may be directed to furnish the details of the 408 workmen named in Annexure 'A' of the schedule to the order of reference, such as, parentage, addresses etc. to enable it to identify them as to whether they had ever worked even as contract labour in the company's establishment at Sijua-Bhelatand colliery or they were mere strangers trying to impose themselves upon the establishment, as, in the absence of these details, the management was unable to file any effective reply and/or written statement. In reply to this petition dated 19-2-1979 of the management, the Bihar Colliery Kamgar Union had filed a rejoinder dated 5-3-79 raising various objections to the aforesaid prayer of the management contained in its petition dated 19-2-79, but had not furnished along with the rejoinder the parentage, addresses etc. of 408 workmen mentioned in Annexure 'A' of the schedule to the order of reference. Thereafter the management filed its written statement-cum-rejoinder on 7-7-79 in which it again raised the objection that the names of the workmen given in Annexure 'A' of the schedule to the order of reference are extremely vague as there is no parentage, home addresses or anything of that kind of identity them and in spite of the demand made in the company's petition dated 19-2-1979, the union had failed to furnish the same which ex-facie shows that most of the persons are fictitious and/or those who never worked in the establishment of the company. Subsequently, however, it appears that the union furnished to the management a list of 408 workmen mentioned in Annexure 'A' of the schedule to the order of reference along with their parentage and addresses to which the management had filed a rejoinder dated 26-9-79 stating that the said list contained names of most of the persons who are imposters and the whole idea of the Bihar Colliery Kamgar Union was to secure employment to those persons who had not even worked with the contractors. Thereafter, along with a list of documents dated 9-1-80, the Bihar Colliery Kamgar Union also filed in this Tribunal a list of 408 workmen mentioned in Annexure 'A' of the schedule

to the order of reference along with their parentage and addresses which has been proved by Sri Ratan Bhattacherjee (WW-3), Branch Secretary of Bihar Colliery Kamgar Union of Sijua-Bhelatand Branch, as having been prepared by him and the same has been marked as Ext. W-7. The said list Ext. W-7 not only contains the names, parentage and addresses of 408 workmen mentioned in Annexure 'A' of the schedule to the order of reference, but it also contains the names of about 25 different contractors under whom different groups of those workmen worked. Sri Ratan Bhattacherjee (WW-3) has further deposed that he had taken down the addresses of the workmen in the said list (Ext. W-7) from the Form 'B' register of contractors' employees of Sijua-Bhelatand colliery belonging to the company which is maintained separately contractorwise quite independently and separately from the Form 'B' register of the permanent employees of the colliery.

61. It may be mentioned here that this Form 'B' register has been prescribed under Rule 77 of the Mines Rules 1955 in pursuance of section 48(1) of the Mines Act, 1952 which enjoins that for every mine there shall be kept in the prescribed form and place a register of all persons employed in the mine showing in respect of each such person the name of the employee with parentage, home address etc. By a petition dated 9.1.80, the Bihar Colliery Kamgar Union had also called for from the management the Form 'B' register besides certain other documents, for the period 1.1.75 to 19.10.78 in respect of the workmen mentioned in Annexure 'A' of the schedule to the order of reference. Thereafter the management along with a list dated 16.12.80 filed Form 'B' registers in respect of Sijua Colliery numbering 24 from serial nos. 1 to 24; and from order dated 8-5-81 passed by my learned predecessor while deciding the question of relevancy raised by the management in respect of several documents called for by the union from the management including the Form 'B' register, it appears that the management did not press its objection regarding the relevancy of Form 'B' register and had submitted that it had produced the Form 'B' registers. The 24 Form 'B' registers which the management had filed along with the list of documents dated 16.12.80, however, relate to the permanent employees of the Sijua colliery of the company and they do not relate to the workmen of the contractors employed as contract labour in the work of loading coal into wagons in the colliery and at the time of arguments it was submitted by Sri T. K. Prasad, Senior Advocate, appearing for the management that no Form 'B' register in respect of the contractors' workmen is maintained by the management as such a register is required to be maintained by the contractors themselves under Rule 75 of the Contract Labour (Regulation and Abolition) Central Rules, 1971, which lays down that every contractor shall maintain in respect of each registered establishment where he employs contract labour a register in Form XIII which Form is almost a copy of Form 'B' of the Mines Rules 1955 containing similar columns regarding name of the workmen, parentage, address etc. Sri D. Narisingh, appearing for the Bihar Colliery Kamgar Union, however, relied on a stray statement

made by Sri A. K. Singh (MW-7), Agent (operation) Sijua Colliery in his cross-examination where he stated that in 'B' Form register the name of all the workmen in the colliery are entered irrespective of the fact whether they are permanent employees or casual employees or they are the workmen engaged through contractors. Sri K. B. Trehan (MW-10) who is Agent, Jamadoba colliery of the company and who was in 1977-78 Agent, Sijua Group of collieries consisting of Sijua colliery, Bhelatand colliery and Malkera colliery, has, however stated in his cross-examination that in Form 'B' register under the Mines Rules the names of only the employees of the company are noted and not those of the contractors' workers. The matter is, however, decisively settled by the aforesaid Rule 75 of the Contract Labour (Regulation and Abolition) Central Rules 1971 which enjoins every contractor to maintain a register in Form XIII of workmen employed by him in respect of each registered establishment where he employs contract labour giving the names, parentage, addresses etc. of the workmen so employed by him, and, therefore, such a register is to be maintained by the contractor and not by the principal employer. Therefore, no adverse inference may be drawn against the company for non-production of Form 'B' register under the Mines Rules in respect of the contractors' workers employed as contract labour in the work of loading coal into wagon at Sijua-Bhelatand colliery as such a register in Form XIII of the Contract Labour (Regulation and Abolition) Central Rules, 1971 is required to be maintained by the contractor under Rule 75 thereof which, under section 30 of the Contract Labour (Regulation and Abolition) Act, 1970, has got effect notwithstanding anything inconsistent therewith contained in any other law, which would as well include the Mines Act, 1952 and Mines Rules 1955.

62. It is, however, the admitted case of the parties that though the basic wages of the workmen employed by the contractor as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery used to be paid by the contractor to those workmen, the attendance bonus to which such workmen were entitled on the basis of their attendance in each quarter used to be paid to them by the company at the rate of 10% of their basic wages to which they were entitled under para 37 at page 71 of the Central Coal Wage Board recommendations Vol-1 and a workman was entitled to get attendance bonus even if he worked for one day in a quarter. In this connection it would also appear from the evidence of Sri Radha Govind Banerjee (MW-5), a Bonus Clerk Grade-I in the Central Accounts Office of the company at Jamadoba; Sri B. B. Singh (MW-9), a Bonus Clerk in the office of the Director of collieries at Jamadoba; Shri Ram Bilash Singh (MW-11), Clerk in the Personnel Department of Sijua Colliery; Shri R. C. Biswakarma (MW-12), a clerk in the Accounts Section of Sijua-Bhelatand Colliery and Sri N. C. Acharya (MW-13), a clerk in the Central Accounts Office of the company at Jamadoba, that the contractors used to prepare pay-cum-attendance sheets in respect of the workmen employed by them on the work of loading coal into wagons at

Sijua-Bhelatand colliery and, after making weekly payments of basic wages to those workers, the contractors used to submit the pay-cum-attendance sheets prepared by them to the Manager of the colliery who used to send the same to the Central Accounts Office at Jamadoba for preparing bonus pay-sheets, and, thereafter in the centralised bonus section located in the Central Accounts Office at Jamadoba, attendance bonus registers in Form 'X' used to be prepared contractor-wise on the basis of pay-cum-attendance sheets of the contractors, and in that attendance bonus registers weekly attendance of the workers used to be noted along with their basic wages, and, in that way the quarterly attendance and the quarterly basic wages earned by each worker of a contractor used to be calculated for the purpose of paying 10% of the quarterly wages as attendance bonus, and, similarly, quarterly bonus for different four quarters in a year used to be separately calculated, and, on the basis of the entries made in the attendance bonus registers, bonus pay-sheets used to be prepared for each worker in triplicate in every quarter out of which one copy used to be kept in the centralised bonus section at Jamadoba as office copy and two copies used to be sent in the office of the Manager of the colliery for making payments, who, in his turn, used to send them to the Sijua-Bhelatand Accounts office whereafter payments of attendance bonus used to be made to the contractors' workers concerned by the Accounts Office at the counter of the Accounts Office in presence of the contractors or their munshies and in presence of the personnel officer or the Payment Supervisor of the colliery and thumb impressions or signatures of the workmen used to be taken on both the copies of the bonus pay-sheets and thereafter one copy of the bonus pay-sheets with the thumb impressions or signatures of the workmen concerned used to be sent from the colliery Accounts Office to the centralised Bonus section of the Central Accounts Office at Jamadoba and one copy with thumb impressions or signatures of the workmen used to be retained in the Sijua-Bhelatand colliery Accounts Office.

63. The aforesaid attendance bonus registers in Form 'X' had also been called for by the Bihar Colliery Kamgar Union by its petition dated 9-1-80 and the management also filed, along with a list dated 6-11-80, attendance bonus registers in Form 'X' for the years 1977 and 1978 in 52 bound volumes maintained contractorwise in respect of contractors' workers engaged in the work of loading coal into wagons at Sijua-Bhelatand colliery and out of them the management has got 50 bound registers exhibited which have been marked Exts. M-10 to M-59. Under a list of documents dated 25-7-83 the management also filed some corresponding original bonus pay-sheets and some corresponding duplicate carbon copies of bonus pay sheets in respect of the contractors' workers employed in the work of loading coal into wagon at Sijua-Bhelatand colliery during the years 1977 and 1978 which have also been proved and marked Exts. M-60 to M-1101 contractor-wise.

64. It has, however, been contended by Sri D. Nar singh appearing for the Bihar Colliery Kamgar Union, that no reliance should be placed on the aforesaid

50 attendance bonus registers for the years 1977 and 1978 which have been filed on behalf of the management and have been marked as Exts. M-10 to M-69 or on the basis of the bonus pay-sheets for the years 1977 and 1978 filed by the management which have been marked Exts. M-60 to M-101 as they were admittedly prepared on the basis of the wage-cum-attendance sheets of the contractors' workmen which have not been filed by the management inspite of the facts that wage sheets were called for by the union from the management by the union's petition dated 9-1-80, and from the Tribunal's order dated 8-5-81 it would appear that the management's stand in this regard was that they were not available. In this connection my attention has also been invited by Sri D. Narsingh to Section 13A of the Payment of Wages Act, 1936 which lays down that every employer shall maintain such registers and records giving such particulars of persons employed by him, the work performed by them, the wages paid to them, the deductions made from their wages, the receipt given by them and such other particulars and in such form as may be prescribed, and every register and record required to be maintained under this section shall be preserved for a period of three years after the date of the last entry made therein, and, on the basis of the same, it has further been contended by Sri D. Narsingh that the management should have preserved the attendance-cum-wage sheets of the contractors workers atleast for three years. On the other hand, it has been contended by Sri T. K. Prasad, Senior Advocate, appearing for the management that the attendance-cum-wage sheets of the contractors' workers were prepared by the contractors themselves and not by the management of the company, and under Rule 78 of the Contract Labour (Regulation and Abolition) Central Rules, 1971 it was also the responsibility and the duty of the contractors to maintain the register of wages in respect of the workmen employed as contract labour over the work of loading coal into wagon at Sijua-Bhelatand colliery, as, under the said rule, the register of wages required to be maintained by the contractor as employer under the Payment of Wages Act, 1936 and the Rules made thereunder shall be deemed to be the register to be maintained by the contractor under the Contract Labour (Regulation and Abolition) Central Rules, 1971, and hence the union should have called for the attendance-cum-wage sheets of the contractors workers from the contractors themselves instead of calling them from the management. Sri T. K. Prasad has further contended that the union itself had called for the attendance bonus registers by its petition dated 9-1-80 from the management and now that the management had filed the attendance bonus registers with the list of documents dated 6-11-80 which have been marked as Exts. M-10 to M-59, the union cannot now turn round and say that they are not genuine or reliable Be that as it may, the 50 bound bonus registers in Form 'X' which have been filed by the management and have been marked, Exts M-10 to M-59 and the bonus pay-sheets filed by the management which have been marked Exts. M-60 to M-101 which also bear the thumb impressions or the signatures of the work-

men concerned which they had put at the time of payment of attendance bonus to them appear to be genuine documents kept in the ordinary course of business and I do not see any reason to disbelieve or discard them.

65. On the basis of the aforesaid attendance bonus registers in Form 'X' (Exts. M-10 to M-59) and bonus pay sheets (Exts. M-60 to M-101) for the years 1977 and 1978, Sri N. C. Ganguly, Advocate, appearing for the management, has prepared the following three handwritten lists and one typed statement which he has filed along with a petition dated 19-6-84 under his signature after serving a copy of the petition along with copies of those lists and statement on Sri G. Prasad, Advocate, appearing on behalf of the Bihar Colliery Kamgar Union :—

- (a) List showing the workmen who worked even for a single day in 1977 and 1978 out of the 408 workmen mentioned in Annexure 'A' of the schedule to the order of reference;
- (b) List showing workmen who had not worked even for a single day in 1977 and 1978 out of the 408 workmen mentioned in the Annexure 'A' of the schedule to the order of reference;
- (c) List showing for how many days the workmen mentioned in (a) above worked in 1977 and 1978 with total days worked in both the years; and
- (d) Statement giving details of workmen contractor-wise and serial-wise with exhibit numbers of the attendance bonus registers and original or carbon copies of the bonus pay-sheets.

The correctness of the aforesaid three lists and one statement which Sri N.C. Ganguly, Advocate, appearing for the management, has prepared and filed along with the aforesaid petition dated 19-6-84 on the basis of the aforesaid attendance bonus register in Form 'X' (Exts. M-10 to M-59) and the aforesaid bonus pay-sheets (Exts. M-60 to M-101) has not been challenged by the learned counsels appearing for the Bihar Colliery Kamgar Union. The said lists and statement show that out of 408 workmen mentioned in Annexure 'A' of the schedule to the order of reference, 166 of them whose names with their serial numbers in Annexure 'A' of the schedule to the order of reference have been given in the list referred to in (b) above had not worked even for a single day in the years 1977 and 1978, and only the remaining 242 workmen whose names with their serial numbers in Annexure 'A' of the schedule to the order of reference have been given in the list referred to in (a) above had worked for some days in the years 1977 and 1978, some of them having worked only for one day, and none of them had worked for 240 days or more.

66. It has been argued by Sri T. K. Prasad, Senior Advocate, appearing for the management that the aforesaid attendance bonus registers (Exts. M-10 to M-59) and the aforesaid bonus pay-sheets (Exts. M-60 to M-101) for the years 1977 and 1978 have been filed and got exhibited by the management and on the basis of the same the aforesaid lists and statement have been prepared and filed by Sri N.C. Ganguly, Advocate, appearing for the management with the petition dated 19-6-84 under his signature after serving a copy of the petition along with copies of the lists and the statement on Sri G. Prasad, Advocate, appearing for the union, for three purposes. The first purpose is to show that out of the list of 408 workmen mentioned in Annexure 'A' of the schedule to the order of reference, 166 of them had not worked at all for a single day even as contractors' workers, in the work of loading coal into wagon at Sijua-Bhelatand colliery in the year 1977 and 1978 and hence they are completely out siders and imposters. The second purpose is to show that the remaining 242 workmen had worked for only some days in the years 1977 and 1978 some of them having worked only for one day, indicating that their employment was sporadic and it was not regular. The third purpose is to show that none of them who had even worked for some days in 1977 and 1978 had worked for 240 days or more in the year just preceding 19-10-78 when they were stopped from working as contract labour in the work of leading coal into wagon at Sijua-Bhelatand colliery, and hence Section 25F or 25N of the Industrial Disputes Act, 1947 have also got no application to them as has been held in the case of the Management of Mahadev Textile Mills Vs. The Additional Industrial Tribunal, Bangalore and another (1976 Lab. I.C. 1284); and the cases of State of Bombay and others Vs. Hospital Mazdoor Sabha and others (1950--67) 4 SCLJ. 2469 and Mohanlal Vs. Bharat Electronics Ltd. [1981(II)-LLJ. 70] cited by Sri D. Narsingh, Advocate, appearing for the Bihar Colliery Kamgar Union, in which it has been held that the provisions of Section 25F are mandatory and non-compliance thereof would render retrenchment of workmen involved invalid and inoperative have got no application to the facts of the present case as in those cases the workmen had been found to have worked for more than 240 days in the year just preceding the date of termination of their services which is a condition precedent to the application of Section 25F or 25N of the Act.

67. All the aforesaid discussions, however, pale into insignificance in view of the findings recorded earlier that there was no employer-employee relationship between the management of the company and the workmen employed by the contractors as contract labour in the work of loading coal into wagon at Sijua-Bhelatand colliery of the company and that those workmen were the employees of the contractors and not of the company, and, in that view of the matter, the demand of the workmen of Sijua-Bhelatand Colliery of the company represented by the Bihar Colliery Kamgar Union for provision of employment to the workmen mentioned in Annexure 'A' of the sche-

dule to the order of reference must be held to be wholly unjustified. This item of the dispute, is, therefore, answered in the negative against the workmen and in favour of the management of the company and the workmen mentioned in Annexure 'A' of the schedule to the order of reference are held to be not entitled to any relief.

68. In the result, therefore it is held that there was no-employer-employee relationship between the management of the company and the workmen employed by the contractors as contract labour in the work of loading coal into wagons at Sijua-Bhelatand colliery of the company and that those workmen were the employees of the contractors and not of the company and since there was no employer-employee relationship between the company and the workmen employed by the contractors as contract labour, there could obviously be no "industrial dispute" with the company in connection with the employment or non-employment or the terms of employment or the condition of labour of such workmen of the contractors within the meaning of Section 2(k) of the Industrial Disputes Act, 1947 which could be referred for adjudication by the Central Government under Section 10 of the Act. Item Nos. 1 and 2 of the dispute mentioned in the schedule to the order of reference are answered in the affirmative and Item No. 3 of the dispute is answered in the negative and thus all the three items of the dispute are answered in favour of the management and against the workmen and the workmen mentioned in Annexure 'A' of the schedule to the order of reference are held not entitled to any relief under any of the three items of the dispute. The reference is answered and the award is made accordingly, but in the circumstance of the case there shall be no order as to costs.

MANORANJAN PRASAD, Presiding Officer
[No. L-20012(219)78-D.III(A)]
A.V.S. SARMA, Desk Officer.

ऊर्जा मंत्रालय

(पैट्रोलियम विभाग)

नई दिल्ली, 7 अगस्त, 1984

कांगड़ा 2648.—यत. पैट्रोलियम और ऊर्जा पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन सारस सरकार के ऊर्जा मंत्रालय (पैट्रोलियम विभाग) की प्रधिसूचना कांगड़ा 1430 तारीख 5-3-83 द्वारा केन्द्रीय सरकार ने उस प्रधिसूचना से संलग्न अनुसूची में विनियिष्ट भूमियों के उपयोग के अधिकार को पाहा लाईन को बिछाने के प्रयोजन के लिये अर्जित करने का प्राप्ता प्राश्न घोषित कर दिया था।

और अतः सकाम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, अतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस प्रधिसूचना से संलग्न अनुसूची में विनियिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है, कि इस प्रधिसूचना से संलग्न अनुसूची में विनियिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार निहित होने के बजाय हिस्सुस्तान पैट्रोलियम कार्पोरेशन लिमिटेड मुमई के बोर्डीकरण में सभी बाधाओं से मुक्त रूप में बोरणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

पाईप लाईन बोरणा गाँव से, तातुका : मावल, जिला : पुणे, महाराष्ट्र

गाँव	खारा नम्बर	हिस्सा नम्बर	सेक्टर	
			हैक्टर	ऐक्टर
1	2	3	4	5
खाला	10 का आग	—	00	04
	13 "	—	00	11
	19 ए "	—	00	33
	19 सी "	—	00	27
	20 "	—	00	05
	19 बी "	—	00	09
	21 "	—	00	02
	22 "	—	00	01
	23 "	—	00	22
	25 बी "	—	00	18
	27 "	—	00	05
	28 "	—	00	35
	30 ए "	—	00	11
	30 ए 1 "	—	00	16
	30 ए 2 "	—	00	20
	30 ए 3 "	—	00	02
	30 बी "	—	00	09
	35 "	—	00	42
	70 "	—	00	60
	84 "	—	00	02
	110 "	—	00	26
	114 "	—	00	24
	113 "	—	00	02
	153 ए "	—	00	08
	154 "	—	00	18
	155 "	—	00	09
	157 "	—	00	31
	158 बी "	—	00	07
	159 "	—	00	13
	160 ए "	—	00	30
	161 "	—	00	18
	162 "	—	00	24
	163 "	—	00	01

1	2	3	4	5
खाला—(जारी)	164 का.मा.ग	--	00	19
	165 "	--	00	06
	166 "	--	00	16
	178 "	--	00	18
	179 ए "	--	00	19
	184 ए "	--	00	13
	184 सी "	--	00	06
	183 ए "	--	00	01
	185 "	--	00	04
	187 "	--	00	09
	188 "	--	00	08
	210 "	--	00	07
	211 ए "	--	00	03
	235 "	--	00	02
	267 "	--	00	02

[क्रमांक O-12016/11/82-प्र०]

MINISTRY OF ENERGY

(Department of Petroleum)

New Delhi, the 7th August, 1984

S.O. 2648.—Whereas by a notification of Government of India in the Ministry of Energy (Department of Petroleum) S. O. 1430 (12016/11/83-Prod-I) dated 5-3-83 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the Lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification are hereby acquired for laying the pipelines.

And further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs that the right of user in the lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Hindustan Petroleum Corp. Ltd. Bombay free from all encumbrances.

SCHEDULE
Pipeline from Village: Khandala, Taluka: Mawal, Dist. Pune,
Maharashtra.

Village	Survey No./		Hissa No.	Area	
	Gat No.	H		H	R
Khandala	10	Part	—	00	04
	13	"	—	00	11
	19A	"	—	00	33
	19 C	"	—	00	27
	20	"	—	00	05
	19 B	"	—	00	09
	21	"	—	00	02
	22	"	—	00	01
	23	"	—	00	22
	25 B	"	—	00	18
	27	"	—	00	05
	29	"	—	00	35
	30 A	"	—	00	11
	30 A1	"	—	00	16
	30 A2	"	—	00	20
	30 A3	"	—	00	02
	30 B	"	—	00	09
	35	"	—	00	42
	70	"	—	00	60
	69	"	—	00	08
	84	"	—	02	02
	110	"	—	00	26
	114	"	—	00	24
	113	"	—	00	02
	153 A	"	—	00	08
	154	"	—	00	16
	155	"	—	00	09
	157	"	—	00	31
	158 A	"	—	00	07
	159	"	—	00	13
	160 A	"	—	00	30
	161	"	—	00	18
	162	"	—	00	24
	163	"	—	00	01
	164	"	—	00	19
	165	"	—	00	06
	166	"	—	00	16
	178	"	—	00	18
	179 A	"	—	00	19
	184 A	"	—	00	13
	184 C	"	—	00	06
	183 A	"	—	00	01
	185	"	—	00	04
	187	"	—	00	09
	188	"	—	00	06
	210	"	—	00	07
	211 A	"	—	00	03
	211 B	"	—	00	02
	235	"	—	00	02
	267	"	—	00	02

No. O-12016/11/82-Prod.)

का० शा० 2648.—यस: पैदोलियम और अनिंज पाइपलाइन (भूमि) में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की भाग 3 की उपशाखा (1) के प्रधीन भारत सरकार के ऊर्जा मंत्रालय

(पेट्रोलियम विभाग) की प्रधिसूचना का०प्रा०स० 3085 तारीख 4-9-82 द्वारा केन्द्रीय सरकार ने उस प्रधिसूचना से सलग अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के प्रधिकार की पाईप लाईन को बिछाने के प्रयोगन के लिये अधित करने का अपना आशय घोषित कर दिया था।

श्रीर मत्त. सकाम प्रधिकारी ने उक्त प्रधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

श्रीर आगे यह केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस प्रधिसूचना से सलग अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का प्रधिकार अधित करने का विनिश्चय किया है।

बद अत उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त प्रधिकारों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस प्रधिसूचना से सलग अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का प्रधिकार पाईप लाईन बिछाने के प्रयोगन के लिये एतद्वारा अधित किया जाता है।

श्रीर आगे उस धारा की उपधारा (4) द्वारा प्रदत्त प्रधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में निहित होने के बाया हिन्दुस्तान पेट्रोलियम कार्पोरेशन लिमिटेड मुकई के लोकारण में मभी बाधाओं से मुक्त रूप में बोबणा के प्रकाशन की तारीख से निहित होगा।

एवं ए केस नम्बर 2/82

अनुसूची

पाईप लाईन तुंगर्ली गांव से, तालुका मावल, जिला: पुणे, राज्य महाराष्ट्र

गांव	उत्तरानम्बर नम्बर	हिस्ता	क्षेत्रफल	
			फ़िटर	ऐयर
1	2	3	4	5
तुंगर्ली	7 का भाग	—	00	20
	8 "	—	00	16
	9 "	—	00	09
	10 "	—	00	16
	11 "	—	00	04
	12 "	—	00	22
	13 "	—	00	09
	79 "	—	00	22
	80 "	—	00	16
	81 "	—	00	13
	82 "	—	00	09
	83 "	—	00	20
	84 "	—	0	13
	85 "	—	00	07
	86 "	—	00	05
	116 "	—	00	18
	118 "	—	0	09
	117 "	—	00	16
	120 "	—	00	29
	120ए "	—	00	24
	121 "	—	00	05
	131 "	—	00	79
	192 "	—	00	35

1	2	3	4	5
147	का भाग	—	00	40
148ए	"	—	00	13
149	"	—	00	15
150	"	—	00	13
152	"	—	00	11

[क्रमांक O-12016/26/82-प्रौद्य॑]

पी०क० राजगोपालन, ई॒क अधिकारी।

S.O. 2649.—Whereas by a notification of Government of India in the Ministry of Energy (Department of Petroleum) S. O. 3085 (O-12016/26/82/Prod-II) dated 4-9-82 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the Lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification are hereby acquired for laying the pipelines.

And further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs that the right of user in the lands shall instead of vesting in the Central Government vest on this date on the publication of this declaration in the Hindustan Petroleum Corp. Ltd. Bombay free from all encumbrances.

SCHEDULE

Pipeline from Village . Tungarli, Taluka : Mawal, Dist: Pune,
Maharashtra.

Village	Survey No.	Hissa No.	Area		
			Gat No.	H	R
1	2	3	4	5	
Tungarli	7 Part	—	00	20	
	8 "	—	00	16	
	9 "	—	00	09	
	10 "	—	00	16	
	11 "	—	00	04	
	12 "	—	00	22	

Village	Survey No.	Hisa	Area	Gat No.	H	R
Tung rhi (Contd.)	13	Part	— 00 09	120 „	—	00 29
	79	"	— 00 22	120 A „	—	00 24
	80	"	— 00 16	121 „	—	00 05
	81	"	— 00 13	131 „	—	00 79
	82	"	— 00 09	132 „	—	00 35
	83	"	— 00 20	147 „	—	00 40
	84	"	— 00 31	148 A „	—	00 13
	85	"	— 00 07	149 „	—	00 15
	86	"	— 00 05	150 „	—	00 13
	116	"	— 00 18	152 „	—	00 11
	118	"	— 00 09			
	117	"	— 00 16			

[No. O-12016/26/82-Prod.]

P. K. RAJGOPALAN, Desk Officer

